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SYDNEY NSW 2000**

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27 April 2021

Mr Rodger Roppolo
Department of Planning, Industry and Environment
Locked Bag 5022,
Parramatta NSW 2124

Dear Rodger,

RESPONSE TO REQUEST FOR INFORMATION: 90-102 REGENT STREET, REDFERN (SSD-10382)

This correspondence has been prepared by Urbis on behalf of The Trust Company (Australia) Limited ATF Wee Hur Regent Trust (**Wee Hur**) and relates to the above State Significant Development Application (**SSDA**) at 90-102 Regent Street, Redfern.

It responds to a Request for Information (**RFI**) issued by the Department of Planning, Industry and Environment (**DPIE**) on 17 March 2021. DPIE requested responses to additional submissions by NSW Environment, Energy and Science Group (**EES**), Sydney Metro, City of Sydney and two organisations following their review of the Response to Submissions (**RtS**) report submitted by Wee Hur on 1 March 2021.

This letter and the supporting documents respond to the matters raised in the RFI and are intended to facilitate the final assessment and determination of the SSDA by DPIE. The supporting documents include:

- Amended Architectural Plans prepared by AJ+C Architects (**Appendix A**)
- Supplementary Urban Design Report prepared by AJ+C Architects (**Appendix B**)
- Amended Landscape Report prepared by Turf Design Studio (**Appendix C**)
- Existing GFA Calculations prepared by LTS Lockley Surveyors (**Appendix D**)
- Amended Flood Study and Assessment Report prepared by JHA Consulting (**Appendix E**)
- Wind Memo prepared by SLR Consulting (**Appendix F**)
- Ground & Vertical Clearance Assessment prepared by The Transport Planning Partnership (**Appendix G**)
- Amended Operational Waste Management Plan prepared by Waste Audit (**Appendix H**)
- Community Engagement Memo prepared by Elton Consulting (**Appendix I**).

1. PROJECT BACKGROUND

In November 2020, Wee Hur submitted a SSSDA for the redevelopment of the site. The SSSDA 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.

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. A RtS report was prepared by Urbis on behalf of Wee Hur and submitted to DPIE on 1 March 2021. An RFI was issued by DPIE on 17 March 2021 requesting Wee Hur respond to the submissions from the City of Sydney, EES and two organisations in response to their review of the RtS report.

2. AMENDED PROPOSAL

Wee Hur has made minor amendments to the proposed building design and public domain improvements in response to the recent submissions, including:

- An additional tree has been added to William Lane and the tree canopies have been adjusted to show their expected canopy coverage.
- Egress pathways have been adjusted in response to confirmed flood level requirements and as coordinated with the stormwater engineer.
- The proposed gaps in the street-level awning have been removed in the updated drawing set to address concerns raised regarding weather protection along the frontages.
- The proposed signage zone on Regent Street has been further developed to maintain passive surveillance and street activation.
- The upper-level awnings on the eastern and western terraces have been modified to include an air-flow gap to prevent heat from building up in these locations.
- Intertenancy walls have been further developed to maximise room areas, while maintaining acoustic and fire rating requirements.
- Material notations have been updated on the elevation drawings which are coordinated and consistent with the materials board.

A copy of the updated architectural drawings prepared by AJ+C is attached as **Appendix A**. AJ+C has also prepared a Supplementary Design Report which is attached as **Appendix B**. The report details the proposed design rationale and justification for the proposed changes listed above.

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 C**.

3. RESPONSE TO SUBMISSIONS

This section details the response to each of the issues raised in the submissions from the public authorities and organisations following their review of the RtS report.

3.1. RESPONSE TO PUBLIC AUTHORITY SUBMISSIONS

3.1.1. Department of Planning, Industry and Environment

Item	Issues	Action/ Response
1	<p>Calculating Existing GFA</p> <p>With regards to the calculation of contributions, please provide a plan showing existing GFA.</p>	<p>The GFA of the existing buildings at 90- 102 Regent Street has been calculated by LTS Lockley Surveyors and is provided at Appendix D. The GFA of the existing buildings is 1,595m².</p>

3.1.2. Environment, Energy and Science Group (EES), DPIE

Item	Issues	Action/ Response
1	<p>Entries to basement - all entry points to the basement, including any vents, must be above both the PMF level and the 1% AEP flood level plus 500 mm freeboard.</p> <p>The staircase and loading dock entrances to the basement have levels above the PMF level but must also be above the 1% AEP flood level plus 500 mm freeboard.</p>	<p>JHA had ongoing email discussions with EES from 17 March 2021 to 9 April 2021 to resolve and satisfactorily respond to the issues raised regarding flooding. It was agreed the PMF level does not overtop the entry into the basement at the fire stairs or via the loading bay. Further, the lots are not subject to flood related development controls, as outlined in the S10.7 Planning Certificates. Accordingly, it was agreed the freeboard requirements to the 1% AEP flood level could be reduced from 500mm to 300mm to assist the architectural design at the following basement access points:</p> <ul style="list-style-type: none"> William Lane - Fire stairs to basement (left and right) Entrance to basement from loading bay <p>JHA has updated the flood planning table (Appendix Z01) within their updated Flood Assessment Report which is submitted with our updated response (Appendix E). The report confirms the proposed levels are</p>

Item	Issues	Action/ Response
		<p>appropriate based on the S10.7 Planning Certificates, a 1% AEP shallow flow depth (less than 300mm) within the roadway and restrictions associated with providing accessibility from the back of footpath to the fire stair locations. All entry levels to the basement areas are above the PMF event.</p> <p>AJ+C has updated their drawing set (Appendix A) to align with the updated flood planning table.</p>
2	Comms, Gas and Water meter room - this level is above the 1% AEP flood level, but also needs 500 mm freeboard thereto.	<p>JHA has updated the flood planning table (Appendix Z01) within their updated Flood Assessment Report (Appendix E) to incorporate the freeboard measures, which is submitted with our updated response.</p> <p>AJ+C has also updated their drawing set (Appendix A) to align with the updated flood planning table.</p>

3.1.3. Sydney Metro

Item	Issues	Action/ Response
1	<p>Recommended Conditions of Consent Engineering</p> <p><i>The Certifier must not issue a Construction Certificate for the development unless the Applicant has submitted to Sydney Metro and Sydney Metro has provided written approval of the following items:</i></p> <p><i>(a) Environmental Impact Statement (Project Code P0009731) prepared by Urbis dated 4 November 2020.</i></p> <p><i>(b) Report on Geotechnical Investigation Student Housing Development (Doc No. R.001.Rev1) Revision 1 prepared by</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
	<p><i>Douglas Partners dated 30 September 2020.</i></p> <p><i>(c) Sydney Metro Drawings prepared by Webber Design:</i></p> <p><i>(i) Dwg no. BB 4001, Revision 1 dated 29 September 2020</i></p> <p><i>(ii) Dwg no. BB 5001, Revision 1 dated 29 September 2020</i></p> <p><i>(iii) Dwg no. BB 0080, Revision 1 dated 29 September 2020</i></p> <p><i>(d) 20018 Transmittal prepared by Webber Design:</i></p> <p><i>(i) Dwg no. 20018_S030, Revision P1 dated 05 February 2021</i></p> <p><i>(ii) Dwg no. 20018_S081, Revision P2 dated 25 February 2021</i></p> <p><i>(iii) Dwg no. 20018_S082, Revision P2 dated 25 February 2021</i></p> <p><i>(iv) Dwg no. 20018_S083, Revision P1 dated 25 February 2021</i></p> <p><i>(e) SSD10382_Architectural Drawing package (Project no. 19026) Issue 2 prepared by Allen Jack + Cottier Architects.</i></p> <p><i>(f) Electrolysis & Stray Traction Current Report (Doc no. A715-448-294) prepared by Cathodic Protection Services dated 21 October 2020.</i></p> <p><i>(g) Train Tunnel Vibration Impact Assessment letter (Doc no. 20201184.2/1901A/R0/AW) prepared by Acoustic Logic dated 19 January 2021.</i></p> <p><i>(h) Metro Tunnel Vibration Management Plan (Doc no. 20201184.1/2402A/R1/AW)</i></p>	

Item	Issues	Action/ Response
	<p><i>Revision 1 prepared by Acoustic Logic dated 24 February 2021.</i></p> <p><i>(i) Report on Preliminary Numerical Modelling and Impact Assessment Student Housing Development (Doc No. R.001.Rev0) Revision 0 prepared by Douglas Partners dated 23 February 2021.</i></p> <p><i>(j) Site Survey drawings (Reference no. 50670 001DT) Revision D prepared by LTS Lockley dated 30 September 2020.</i></p> <p><i>(k) Rail Risk Management Plan (Doc no. GKA REG 001) prepared by GKA Management dated 25 February 2021.</i></p> <p><i>(l) Development Application Stage _ Sydney Metro Response to RFI no.2 prepared by Wee Hurt Capital PTE LTD dated 15 March 2021.</i></p> <p><i>Prior to the commencement of works, the Certifier must provide written verification to Sydney Metro that this condition has been complied with.</i></p>	
2	<p>Rail Corridor</p> <p><i>All structures must be designed, constructed and maintained so as to allow for the future operation and demolition of any part of the development without damaging or otherwise interfering with the Sydney Metro - City & Southwest rail corridor or rail operations.</i></p> <p><i>Where any part of the development is to be retained because its demolition would damage or otherwise interfere with the Sydney Metro - City & Southwest rail corridor or rail operations, that part of the development must have a minimum design life of 100 years.</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
3	<p>Survey and services</p> <p>Prior to the issue of a Construction Certificate:</p> <p><i>(a) the Applicant must provide Sydney Metro with an accurate survey of the development and its location relative to the rail corridor boundary and any rail infrastructure. The survey is to be undertaken by a registered surveyor, to the satisfaction of Sydney Metro; and</i></p> <p><i>(b) a registered surveyor shall peg-out the common property boundary between the development site and the rail corridor and any Sydney Metro easements to ensure that there is no encroachment by the development.</i></p> <p><i>A copy of the survey report indicating the location of pegs must be provided to Sydney Metro prior to the commencement of works.</i></p> <p><i>Prior to the issue of a Construction Certificate, the Applicant must undertake a services search to establish the existence and location of any rail services and provide the results of the search to Sydney Metro. Persons performing the service search shall use equipment that will not have any impact on rail services and signalling. Should rail services be identified within the development site, the Applicant must discuss with Sydney Metro whether the services are to be relocated or incorporated within the development site.</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>
4	<p>Noise and Vibration</p> <p><i>The development must:</i></p> <p><i>(a) comply with State Environmental Planning Policy (Infrastructure) 2007 and the NSW Department of Planning &</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
	<p><i>Environment's document titled "Development Near Rail Corridors and Busy Roads - Interim Guideline" (2008) and the Sydney Metro Underground Corridor Protection Guidelines</i></p> <p><i>(b) be designed, constructed and maintained so as to avoid damage or other interference which may occur as a result of air-borne noise, ground-borne noise and vibration effects that may emanate from the rail corridor during rail construction and operations; and</i></p> <p><i>(c) not have any noise or vibration impacts on the rail corridor or rail infrastructure.</i></p> <p><i>The Applicant must incorporate as part of the development all the measures recommended in the following reports:</i></p> <p><i>(a) Metro Tunnel Vibration Management Plan (Doc no. 20201184.1/2402A/R1/AW) Revision 1 prepared by Acoustic Logic dated 24 February 2021.</i></p> <p><i>(b) Train Tunnel Vibration Impact Assessment letter (Doc no. 20201184.2/1901A/R0/AW) prepared by Acoustic Logic dated 19 January 2021.</i></p> <p><i>Copies of the reports are to be provided to the Certifier and Council prior to a Construction Certificate being issued by the Certifier. The Certifier must ensure that the recommendations of the management and assessment reports are incorporated in the construction drawings and documentation prior to issuing a Construction Certificate for the development.</i></p>	
5	<p>Construction</p> <p><i>No work is permitted within the rail corridor, or any easements which benefit Sydney</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
	<p><i>Metro, at any time, unless the prior approval of, or an Agreement with, Sydney Metro has been obtained by the Applicant. The Certifier must not issue a Construction Certificate for the development until written confirmation has been received from Sydney Metro that this condition has been satisfied.</i></p> <p><i>No rock anchors, rock bolts, ground anchors or rock ties, piles, foundations, rock pillars, transfer structures, basement walls, slabs, columns, beams, cut rock faces, are to be installed in the rail corridor, Sydney Metro property or easements. The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.</i></p> <p><i>Prior to the issuing of a Construction Certificate, the following information must be submitted to Sydney Metro for review and endorsement:</i></p> <p><i>(a) Machinery to be used during excavation/construction; and</i></p> <p><i>(b) Demolition, excavation and construction methodology and staging.</i></p> <p><i>The Certifier must not issue a Construction Certificate for the development until it has received written confirmation from Sydney Metro that this condition has been satisfied.</i></p> <p><i>If required by Sydney Metro, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements for the proposed works are to be submitted to Sydney Metro for review and endorsement regarding impacts on the rail corridor. The Certifier must not issue a Construction Certificate for the development until written</i></p>	

Item	Issues	Action/ Response
	<p><i>confirmation has been received from Sydney Metro that this condition has been satisfied.</i></p> <p><i>If required by Sydney Metro, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Metro's Corridor Protection Team to determine the need for public liability insurance cover and the level of insurance required. If insurance cover is deemed necessary, the Applicant must obtain insurance for the sum determined by Sydney Metro and such insurance shall not contain any exclusion in relation to works on or near the rail corridor or rail infrastructure and must be maintained for the period specified by Sydney Metro. Prior to issuing a Construction Certificate for the development, the Certifier must witness written proof of any insurance required by Sydney Metro in accordance with this condition, including the written advice of Sydney Metro to the Applicant regarding the level of insurance required.</i></p> <p><i>If required by Sydney Metro, prior to the issue of a Construction Certificate the Applicant must contact the Sydney Metro Corridor Protection Team to determine the need for the lodgement of a bond or bank guarantee for the duration of the works and the sum of any required bond or bank guarantee. Prior to issuing a Construction Certificate for the development, the Certifier must witness written confirmation from Sydney Metro that the Applicant has lodged any bond or bank guarantee required by this condition.</i></p>	
6	<p>Drainage</p> <p><i>The Applicant must ensure that all drainage from the development is adequately disposed of and managed and must ensure that no drainage is discharged into the</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
	<i>railway corridor unless prior written approval has been obtained from Sydney Metro. The Certifier must not to issue a Construction Certificate or Occupation Certificate for the development unless this condition has been satisfied.</i>	
7	Documentation <i>Copies of any certificates, drawings, approvals or documents endorsed by, given to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Construction Certificate.</i>	Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.
8	During Construction Supervision <i>Unless advised by Sydney Metro in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects and who holds current professional indemnity insurance.</i>	Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.
9	Consultation <i>The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Metro in writing), who:</i> <i>(a) oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Metro;</i> <i>(b) acts as the authorised representative of the Applicant; and is available (or has a delegate notified in writing to Sydney Metro that is available) on a 7 day a week basis to liaise with the representative of Sydney Metro as notified to the Applicant.</i>	Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.

Item	Issues	Action/ Response
	<p><i>Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Metro in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Metro in relation to the works.</i></p> <p><i>Where a condition of consent requires consultation with Sydney Metro, the Applicant shall forward all requests and/or documentation to the relevant Sydney Metro interface team.</i></p>	
10	<p>Inspections</p> <p><i>If required by Sydney Metro, the Applicant must give Sydney Metro written notice at least 5 business days before any of the following events occur within 25 metres of the rail corridor:</i></p> <p><i>(a) site investigations;</i></p> <p><i>(b) foundation, pile and anchor set out;</i></p> <p><i>(c) set out of any other structures below ground surface level or structures which will transfer any load or bearing;</i></p> <p><i>(d) foundation, pile and anchor excavation;</i></p> <p><i>(e) other excavation;</i></p> <p><i>(f) surveying of foundation, pile and anchor excavation and surveying of asbuilt excavations;</i></p> <p><i>(g) other concreting; or</i></p> <p><i>(h) any other event that Sydney Metro has notified to the Applicant in writing so that Sydney Metro may inspect the carrying out</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

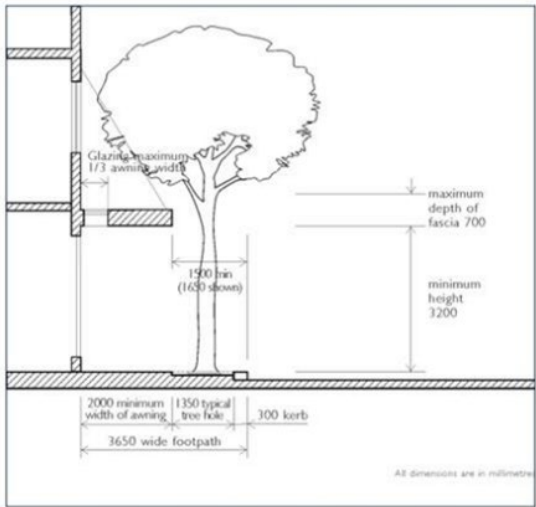
Item	Issues	Action/ Response
	<p><i>or completion of those works on the development site.</i></p> <p><i>If required by Sydney Metro, prior to the commencement of works or at any time during the excavation and construction period deemed necessary by Sydney Metro, a joint inspection of the rail infrastructure and property in the vicinity of the development is to be carried out by representatives from Sydney Metro and the Applicant and a dilapidation survey prepared. The dilapidation survey(s) will establish the extent of any existing damage and enable any deterioration during construction to be observed and rectified at the Applicant's cost. The submission of a detailed dilapidation report by the Applicant for review and approval by Sydney Metro will be required within 10 days following the undertaking of any joint inspection, unless otherwise notified by Sydney Metro in writing.</i></p>	
11	<p>Prior to the issue of an Occupation Certificate</p> <p>Documentation</p> <p><i>Prior to the issue of an Occupation Certificate, the Applicant is to submit as-built drawings to Sydney Metro and Council. The as-built drawings are to be endorsed by a registered surveyor confirming that there has been no encroachment into the rail corridor or Sydney Metro easements, unless agreed to by Sydney Metro in writing. The Certifier must not issue an Occupation Certificate until written confirmation has been received from Sydney Metro that this condition has been satisfied.</i></p> <p><i>Copies of any certificates, drawings, approvals or documents endorsed by, given</i></p>	<p>Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.</p>

Item	Issues	Action/ Response
	<i>to or issued by Sydney Metro must be submitted to Council for its records prior to the issue of any Occupation Certificate.</i>	
12	<p>General</p> <p>Inspections</p> <p><i>At any time during the construction of the development, Sydney Metro and persons authorised by those entities may give reasonable notice to the Applicant or the Applicant's principal contractor that Sydney Metro or persons authorised by that entity seek to:</i></p> <p><i>(a) inspect the development site and all works and structures that may impact on the rail corridor, including at specified "hold points" in the construction of the development; and</i></p> <p><i>(b) attend on-site meetings with the Applicant and its contractors, to enable Sydney Metro to determine whether the development has been or is being constructed and maintained in accordance with all approved plans and this development consent.</i></p>	Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.
13	<p>Other</p> <p><i>Any conditions or other requirements imposed by Sydney Metro part of its approval/endorsement of any documents provided by the Applicant to Sydney Metro in accordance with these conditions of consent must also be complied with by the Applicant when implementing any approved/endorsed documents, plans, reports during the construction and operation of the development (as applicable).</i></p>	Wee Hur has reviewed the recommended condition of consent and considers the proposed wording to be acceptable.

Item	Issues	Action/ Response
	<p><i>Where a condition of consent requires Sydney Metro endorsement or approval, the Certifier must not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with.</i></p> <p><i>The issuing of staged Construction Certificates by the Certifier dealing with specific works and compliance conditions can only occur subject to written confirmation from Sydney Metro.</i></p>	

3.1.4. City of Sydney Council

Item	Issues	Action/ Response
1	<p>Heritage</p> <p>The City maintains the position that the building at 90 Regent Street as well as the front façade and front rooms of the historic buildings at 92-96 Regent Street be retained.</p>	<p>The front façade and podium design was given detailed consideration in the preparation and refinement of the architectural drawings in accordance with the design excellence strategy and prior to lodgement of the SSDA.</p> <p>This included significant amendments to respond to the ongoing 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). The minutes issued by the SDRP from the meeting held on 26 August 2020 stated:</p> <p><i>'The carefully articulated masonry podium to Regent and Marian Streets is well resolved and is supported'</i></p> <p>Further detailed information was provided by Artefact with the RtS report which clearly demonstrated the existing buildings were not of sufficient heritage significance to warrant their retention. Additional investigations undertaken by Webber Design also confirmed</p>

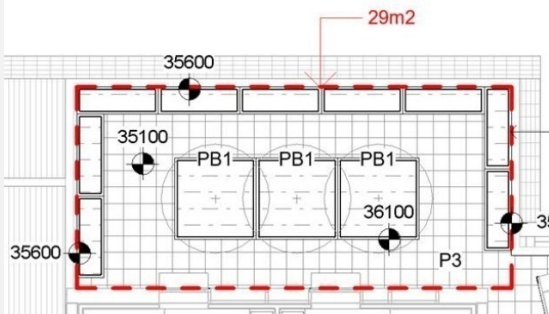
Item	Issues	Action/ Response
		<p>the existing building has significant structural issues which would present significant issues if they were to be retained.</p> <p>Based on the above, it is considered the proposed design is considered entirely acceptable and appropriate.</p>
2	<p>Urban Design</p> <p>Awnings</p> <p>The proposed gaps in the awning and the width of the awning on Marian Street do not provide continuous and adequate weather protection.</p> <p>The architectural plans demonstrate that the breaks in the awning do not correlate with the location of street trees.</p>	<p>The proposed gaps in the awning have been removed in the updated drawing set prepared by AJ+C and submitted with this response.</p> <p>The width of the awning complies with requirements outlined in Figure 13 of the City of Sydney Awnings Policy 2000 which states the awning should be setback from the outer edge of the kerb by no less than 1500mm to accommodate the typical street hole of 1350mm for street tree planting.</p>  <p>Figure 13 Relationship of trees and awnings in typical 3650mm footpaths.</p>
3	<p>Building Expression and Materials</p> <p>The proposed materials for the development are unclear with the inconsistent coordination of the materials board and the elevation drawings.</p>	<p>The updated drawing set prepared by AJ+C (Appendix A) includes updated elevation drawings which have been coordinated with and consistent with the materials board.</p>

Item	Issues	Action/ Response
4	<p>Signage</p> <p>A new signage zone for a window sign is illustrated on the Regent Street ground floor elevation. It appears that it would screen the proposed meeting rooms and laundry facilities. However, it does not provide an inviting and active street frontage that creates visual interest in and from the building.</p>	<p>The signage zone to the south of the main entrance is proposed to be transparent vinyl to maintain visual connection and passive surveillance from the interior study spaces and meeting rooms and activation of the street frontage. The updated drawing set prepared by AJ+C includes updated details regarding the proposed signage zone and materials.</p>
5	<p>Outdoor Areas</p> <p>The common outdoor areas on the podium have become enclosed since the last iteration of the proposal, with an addition of a louvred awning for wind mitigation on the northern terrace. Similarly, the eastern and western terraces are now under glazed awnings. This could affect the amenity of the rooms adjacent to the eastern and western terraces in terms of reflected noise and lack of visual privacy.</p> <p>These east and west terraces could become quite uncomfortable with heat being trapped under the glass awning.</p> <p>The development could be improved if the rooms adjacent to the east and west terraces were common spaces similar to the north terrace. If this could not be achieved, the amenity and privacy of these rooms could be improved with a balcony in front of the rooms that act as a transition space between the east and west terraces and the internal rooms.</p> <p>Disconnecting the roof plane of the glass awning from the walls would also help release noise and heat gain and provide better air circulation in these spaces.</p>	<p>The updated drawing set prepared by AJ+C includes a modified awning design at the eastern and western terraces including a gap to provide adequate air flow and prevent heat from building up in these locations.</p> <p>Supplementary advice has been provided by SLR Consulting (Appendix F) which confirms the modified awning design will maintain compliance with the recommended wind mitigation measures.</p> <p>The internal layouts for the rooms adjoining the eastern and western terraces do not allow for balcony access. The proposed landscape areas will provide for a higher level of visual screening than what would be achieved with a balcony which would allow for more direct sightlines into the room. Further, the restricted hours of use for the terraces will minimise potential amenity impacts on room occupants.</p>
6	<p>Street wall and parapet</p>	<p>The front façade and podium design was given detailed consideration in the preparation</p>

Item	Issues	Action/ Response
	<p>The demolition of the existing buildings and its interpretation results in a 'missing tooth' in the street wall associated with the entry to the building on Regent Street. A better outcome would be to reinforce the two-storey street wall.</p> <p>Further, the development provides plant and services on the roof of the building. To optimise the building design, the City strongly recommends that the parapet of the building be raised to align with the height of the lift overrun.</p> <p>The raising of the parapet must comply with the maximum height control.</p>	<p>and refinement of the architectural drawings in accordance with the design excellence strategy and prior to lodgement of the SSDA.</p> <p>This included significant amendments to respond to the ongoing 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). The minutes issued by the SDRP from the meeting held on 26 August 2020 stated:</p> <p><i>'The carefully articulated masonry podium to Regent and Marian Streets is well resolved and is supported'</i></p> <p>Further, the proposed podium design is compatible and consistent with the neighbouring development at 60-78 Regent Street, where the entrance is articulated by a break in the streetscape.</p> <p>The parapet of the building sits 1950mm above the roof level. Any further increase in the height of the parapet would compromise the performance of the PV cells on the roof level. Increased structural supports would also be required which would encroach on the existing plant area and impact its operations.</p>
7	<p>Contamination</p> <p>The City recommends the engagement of an NSW Site Auditor to peer review the DESI and RAP and for any LTEMP to be approved by a Site Auditor as part of a Part A Site Audit Statement (Part A2).</p>	<p>Wee Hur has confirmed their acceptance of an appropriately worded condition of consent requiring a site audit to be completed.</p>

Item	Issues	Action/ Response
8	<p>Public Domain</p> <p>The submitted public domain survey is not accurate and a true reflection of the levels on William Lane. The levels and gradients of all surrounding footpaths and lanes with the ground floor level of the proposed building has not been indicated in the section drawings.</p> <p>The finished floor levels and gradients of the development, notably the basement and loading bay entry and door openings as well as the finished floor levels of William Lane and footpaths must be indicated in the architectural floor plans.</p> <p>The finished floor levels of the development must comply with the Interim Flood Management Policy and Public Domain Manual.</p>	<p>The updated drawing set prepared by AJ+C (Appendix A) includes revised section drawings which reflect the levels and gradients in accordance with the Public Domain Manual. The floor plans have also been updated with the relevant RLs as coordinated with JHA.</p> <p>JHA has confirmed the finished floor levels will comply with the Interim Flood Management Policy.</p>
9	<p>Tree Management</p> <p>The City recommends that the proposed awning, equipment and temporary structures such as hoardings, scaffolding and piling are installed without requiring the removal of branches. Branches and the foliage of the young trees on Marian Street should be temporarily tied back rather than pruned.</p> <p>Pruning works must be specified and not exceed 10% canopy removal or removal of branches greater than 100mm diameter of the Plane tree on Regent Street. All plans are updated to show the TPZ, SRZ and existing canopy spread of exiting street trees.</p> <p>All street trees surrounding the site on Council owned land must be retained and</p>	<p>The Arboricultural Impact Assessment Report submitted with the original EIS (Appendix Y) includes an assessment of canopy pruning and retention and protection of the existing street trees.</p> <p>Urban Arbor has advised it is difficult to confirm whether pruning will be required in the absence of information typically provided at the detailed construction stage (eg hoarding plan, scaffolding plan, piling location, etc). It is recommended a condition of consent be imposed to respond to Council's requirements at the detailed construction stage:</p> <p><i>'Prior to the issue of a construction certificate, a consulting arborist (minimum AQF level 5) should review the plans and prepare a report in relation to all temporary structures/construction activities, such as hoardings, scaffolding and piling, to ensure that they can be installed without requiring the</i></p>

Item	Issues	Action/ Response
	protected in accordance with AS4970-2009.	<i>removal of branches of street trees that adjoin the site. Branches and the foliage of the young trees on Marian Street should be temporarily tied back rather than pruned</i>
10	<p>Landscaping</p> <p>The proposed landscaping will not meet the Sydney DCP 2012 requirement for 15% canopy coverage within 10 years of completion. The four new street trees will be on public land and therefore, do not contribute to the City's tree canopy requirements.</p> <p>Changes on the Level 2 outdoor area include an enclosure of the common open spaces with glazed awnings and pergola for wind mitigation. However, this would impact on the provision of open space amenity and the success of new trees and landscaping on slab. Privacy and overlooking between communal areas and private habitable rooms is a concern on the eastern and western terraces.</p> <p>The landscape plans must be amended to include the mature height and canopy spread of trees with consideration to soil volume, soil type, irrigation, shade, wind, drainage, watering systems and maintenance.</p> <p>The percentage of canopy coverage that will be achieved in 10 years from completion must also be specified in the landscape plan. It is recommended that the three 'Tristaniopsis Laurina – Small' on the Level 3 outdoor area be amended to include the planting of one medium size tree in lieu of three small trees.</p> <p>Overall, it must be demonstrated that planting of new trees would not be stunted but would reach their full generic potential</p>	<p>The site is located within the Redfern-Waterloo Precinct under <i>State Environmental Planning Policy (State Significant Precincts) 2005 (the SSP SEPP)</i>. The SSP SEPP includes the land use zoning objectives, permissibility and built form controls relevant to the site and the proposed development. The site is not classified as land to which the Sydney Development Control Plan 2012 (the DCP) applies. Further, the provisions of a DCP do not apply to State significant development in accordance with Clause 11 of <i>State Environmental Planning Policy (State and Regional Development) 2011</i>.</p> <p>Regardless, the DCP was considered on a merit basis. The proposed landscape treatment maintains a biophilic connection through raised planters for small trees, vines and potted plant specimens. Substantial vertical greening is provided through generous vine planting on all terraces, enhancing the richness of the landscape. Break out spaces enable residents to enjoy the outdoor landscape via small and large group seating and alfresco dining areas, in addition to exercise and movie watching spaces. Appropriate planting provides for visual privacy between the student rooms and the adjoining communal spaces on the eastern and western terraces.</p> <p>The updated drawing set prepared by Turf Design (Appendix C) includes an additional tree on William Lane. The Canopy Coverage Plan (page 22) shows the percentage canopy coverage achieved 10 years after completion, including both the street trees and terraces.</p>

Item	Issues	Action/ Response
	<p>and provide the maximum amount of canopy coverage at maturity.</p>	<p>The expected mature height and canopy spread is detailed in the Planting Schedule (page 24).</p> <p>Turf Design has also reviewed Council's recommendation regarding the replacement of the three small trees with a medium sized tree on Level 3. The ADG guidelines require a minimum soil volume of 36m² with a minimum soil depth of 1m. The size of the western terrace is only 29m² in total and accordingly, is not of sufficient size to accommodate a medium sized tree - refer to image on following page.</p> <p>Overall, the proposed landscape treatment seeks to optimise plant growth within the outdoor spaces. The selected species have potential to vary height form and habit according to conditions and will provide a green presence when approaching William Lane entrance from Redfern Station.</p> 
7	<p>Transport</p> <p>The proposal should provide 1 bicycle space per resident or at a minimum, 1 bicycle parking space per 2 beds. Overall, a total of 204 spaces is to be provided for the development.</p> <p>The number of bicycle spaces provided on each level and access arrangements is unclear. There is no indication as to what Class of bicycle parking is provided, which</p>	<p>The proposed development will provide 134 bicycle spaces within secure storage facilities on the Ground (Level 1) and Basement levels which equates to 1 bicycle space per 3 student accommodation beds. The updated drawing set prepared by AJ+C clearly indicates the number of spaces and access to the bicycle parking areas.</p> <p>The proposed rate of 1 bicycle space per resident as suggested by Council are based on the studio apartment and residential</p>

Item	Issues	Action/ Response
	<p>raises concern that these spaces do not meet Australian Standard AS 2890.3:2015.</p> <p>The Ground Clearance Assessment contained within the submitted Traffic Statement is inadequate. A proper vertical clearance analysis is required that illustrates the roof height and truck roof in relation to the roof height for the length of the driveway and at the gradient change.</p> <p>A Green Travel Plan, Transport Access Guide and Construction Pedestrian and Traffic Management Plan must also be provided.</p>	<p>requirements in Sydney DCP 2012. These provisions do not accurately reflect the demand for student bicycle parking which was assessed in detail within the merit assessment in the Transport Impact Assessment (Appendix N) and the RtS report.</p> <p>Surveys of existing student accommodation developments indicated 14% of students owned or planned to own a bicycle during their stay, which equates to a demand of 1 bicycle space per 7 beds. The provision of 1 bicycle space per 3 beds is well above the surveyed demand and is proposed to encourage increased bicycle usage. The proposed rate is also consistent with the approved student accommodation development at 13-23 Gibbons Street (SSD 9194) which provided 1 bicycle parking space per 3.2 beds.</p> <p>Overall, the proposed bicycle parking is deemed entirely appropriate based on the land use activities and forecast demand for on-site bicycle parking.</p> <p>The bicycle parking spaces have been designed to comply with the 'Security Level B' provisions as classified by Australian Standard AS 2890.3:2015. All bicycle parking spaces are in secure storage room facilities. TTPA has confirmed the bicycle parking will be provided with a dynamic 2 tier rack system (Cora E3DT-GT) with compliant AS2890.3 spacing (refer to Appendix G).</p> <p>TTPA has updated the Ground Clearance Assessment to also include a headroom clearance assessment (refer Appendix G).</p> <p>A Green Travel Plan and Framework Construction Traffic Management Plan were provided with the EIS (refer Appendix FF and Appendix EE). An appropriately worded condition of consent can be imposed requiring</p>

Item	Issues	Action/ Response
		these plans to be updated and finalised prior to construction.
8	<p>Waste</p> <p>WMP states CoS will collect waste, TIA states a private waste company will collect waste. Clarify this, noting that the proposal does not meet the requirements for Council collection.</p> <p>Separation between residential and commercial waste areas as well as chutes and chute infrastructure must be designed in accordance with the Guidelines.</p>	Waste will be collected by a private contractor twice a week. The Operational Waste Management Plan (Appendix H) has been updated to reflect the proposed arrangement and is attached to this response.

3.2. RESPONSE TO ORGANISATION SUBMISSIONS

3.2.1. 1 Margaret St Strata Committee

Item	Issues	Action/ Response
1	Deficient community consultation and inconsistencies with objects and general terms of EP&A Act.	<p>Elton Consulting has confirmed the design and delivery of the Community Consultation Plan was undertaken in accordance with the SEARs and the DPIE guidance for community consultation with respect to SSD.</p> <p>Elton previously detailed their approach to the project engagement, including 1 Margaret Street, within the RtS report. Elton has confirmed their engagement through the strata manager proved effective during the delivery of their previous consultation programme for 13-23 Gibbons Street, Redfern and informed their approach to this proposal.</p>
2	EIS does not consider cumulative impacts of existing, approved and likely surrounding developments	The co-location of student accommodation in the locality responds to its close proximity to the University of Sydney and to Redfern Station, with its frequent and direct public transport services to a range of other tertiary

Item	Issues	Action/ Response
		<p>education providers. Each of the potential cumulative impacts cited within the submission are addressed below.</p> <p><u>Cohesion</u></p> <p>The submission cites a report 'Student Housing Experiences in Australia December 2019' which reports '<i>59% of students in purpose built student accommodation left within 6 months generally citing affordability issues</i>'. A desktop review of relevant literature did not identify a report with the cited title/date. However, a report 'Living Precariously: Understanding International Students' Housing Experiences in Australia' was published in December 2019 by Laurie Berg and Bassina Farbenblum. The research is targeted and relates only to international students and their experiences with their first accommodation in Australia. The research found 58% of international students whose first housing in Australia was commercial student accommodation left within six months. A review of the report found no references to students leaving commercial student accommodation due to affordability.</p> <p>The literature review did not identify other research showing the presence of student accommodation creates a negative impact on neighbourhood cohesion. The 'Living Precariously' report and a report released by the UNSW Human Rights Clinic's 'No Place Like Home: Addressing Exploitation of International Students in Sydney's Housing Market' (July 2019) did show exploitation of international students in informal housing markets (such as share houses) have a considerable impact on the wellbeing of international students.</p>

Item	Issues	Action/ Response
		<p><u>Amenity</u></p> <p>Section 6.4 of the EIS responds to potential amenity impacts relating to solar access, overshadowing and wind impacts. The EIS also responds to other potential amenity issues including built form, visual impacts, transport, traffic and parking, public domain and public access and noise and vibration. Where relevant, these sections refer to potential cumulative impacts.</p> <p>An outdoor cinema and music room has been removed from the proposal to minimise potential noise impacts. The proposal is also supported by an Operations Management Plan, including the management of potential noise impacts from student activities on surrounding residences.</p> <p><u>Neighbourhood</u></p> <p>The submission references City of Sydney policies which '<i>will create a cohesive, integrated, diverse, equitable and sustainable city</i>'. A City for All seeks to create diverse, cohesive communities with actions focused on increasing social networks and enhancing sense of belonging among diverse communities, rather than excluding or discouraging particular social cohorts from parts of the city. The diversity of the locality is addressed in Item 4 below.</p> <p><u>Dislocation</u></p> <p>The residential apartment building at 98-102 Regent Street included nine separate dwellings. The other buildings may have been used for temporary accommodation, however, each of the buildings are currently vacant and will not result in the displacement of existing residents.</p>

Item	Issues	Action/ Response
		Further, the DPIE Explanation of Intended Effect for the proposed Housing Diversity SEPP states ' <i>Having an adequate supply of well-located and purpose-built student housing is critical in supporting the higher education sector in NSW. It can also assist in alleviating demand on other affordable housing types in proximity of major universities</i> '.
3	No consideration of cumulative impacts of construction	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.
4	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.	<p>Australian Bureau of Statistics (ABS) data from the most recent Census in 2016 indicate 2.1% of Redfern residents are aged 15-19 and 8.8% of residents are aged 20-24. This compares to 6.0% and 7.1% for Greater Sydney residents. Based on the likely ages of most residents of student housing, the proposal is likely to contribute to increasing the proportion of Redfern residents in the 15-19 year age group. The proportion of residents in the 20-24 year age group in Redfern is slightly above the Greater Sydney average. The additional number of residents in this age group will likely increase due to the proposal. However, this will not represent a significant outlier to the Greater Sydney average or create a concerning age-based lack of diversity.</p> <p>The ABS data also indicates Redfern is culturally diverse, with over half of the</p>

Item	Issues	Action/ Response
		<p>population (52.2%) born overseas. This is higher than the Greater Sydney average (42.9%), but lower than the City of Sydney average (60.6%). England, China, New Zealand, USA and Ireland are the top five countries of birth for Redfern residents.</p> <p>According to the Parliament of Australia's 'Overseas students in Australian higher education: a quick guide' (2019), the top five nationalities of international students in NSW are China, India, Nepal, Vietnam and Pakistan. The proposal is therefore likely to modestly increase the diversity of countries of origin of Redfern residents.</p> <p>It is unclear how the proposed development would result in 'undesirable issues over time' as stated within the submission. The potential amenity issues have been addressed in detail within the EIS and as outlined within Item 2 of this submission.</p> <p>Wee Hur is committed to the delivery of quality student housing accommodation and is taking a long term view regarding the market and the return of international students at an appropriate time.</p>

3.2.2. D&A Markakis Pty Ltd

Item	Issues	Action/ Response
1	Development is too large in scale, bulk and size given its context and the immediate low scale surroundings	The Design Report prepared by AJ+C (Appendix H to the original EIS) provides a comprehensive assessment of the urban context, including the way in which the proposed built form, height, bulk and scale, setbacks and interface responds to the existing, approved and likely future development within the surrounding locality and the public domain.

Item	Issues	Action/ Response
		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.
2	Visual impact of the development is substantially detrimental to the heritage of St Luke's Church due to the development's proposed use, bulk and scale	<p>The potential impacts of the development on the heritage significance of St Luke's Church are assessed in detail within the specialist assessment reports prepared by Artefact Heritage including the Statement of Heritage Impact submitted with the EIS and the supplementary information provided with the RtS report.</p> <p>The Visual Impact Assessment (VIA) Report prepared by Urbis (Appendix Q to the EIS) concludes the level of visual change is consistent with the expectations for development in accordance with the Redfern Centre Urban Design Principles and the State Significant Precincts SEPP. The proposed built form is comparable with existing and approved developments within the locality and as envisioned within the relevant controls.</p> <p>The siting and layout of the building, including the tower component, was carefully designed to respond to the surrounding developments, including consistency with prevailing setbacks along Regent Street, providing satisfactory building separation distances to adjoining development on William Lane and reducing shadow impacts to the southern properties along Margaret Street.</p>
3	Significant increase in overshadowing would occur as a result of the proposed development over St Luke's Church.	AJ+C has confirmed that St Luke's Church receives up to four hours of solar access during mid-winter at 9am, 10am, 12pm and 2pm. Detailed shadow diagrams are provided on pages 38 and 39 of the Supplementary Design Report (Appendix B).

Item	Issues	Action/ Response
		<p>Consideration has been given to the cumulative effects of existing and approved developments within the locality in the assessment of the shadow impacts and as described above.</p> <p>The winter solstice (21 June) represents the most significant impact during the calendar year and is used to illustrate the 'worst-case' scenario.</p>
4	Overshadowing to St Luke's Church remains unchanged and inadequately addressed by the applicant's response to submission	Refer to above response – the potential shadow impacts have been addressed in detail within the Supplementary Design Report (Appendix B).
5	Proposed use of student accommodation results in a considerable decrease in amenity to the surrounding area through the increase in congestion and impact on heritage	<p>The potential amenity and heritage impacts of the proposed development have been assessed in detail within the EIS, the RtS report and the additional supporting documents submitted with this letter.</p> <p>Wee Hur is committed to the delivery of quality student housing accommodation and is taking a long term view regarding the market and the return of international students at an appropriate time.</p> <p>The State government has also recognised the importance of the tertiary education sector to the Australian economy and the support provided by student accommodation providers. The DPIE Explanation of Intended Effect for the proposed Housing Diversity SEPP states '<i>Having an adequate supply of well-located and purpose-built student housing is critical in supporting the higher education sector in NSW. It can also assist in alleviating demand on other affordable housing types in proximity of major universities</i>'.</p>

Item	Issues	Action/ Response
6	Concerns over the construction and vibration impact on the heritage former church property	<p>The construction and vibration impacts have been assessed within the Acoustic and Vibration Assessment Report submitted with the EIS (as Appendix O), including assessment of typical construction equipment and levels using published formulae historical and measured data for major plant equipment expected to be used. Vibration monitoring will be imposed as a condition of consent to provide for compliance with relevant criteria.</p> <p>Artefact Heritage also recommended vibration monitoring be undertaken to avoid impacts on the heritage listed church building. These recommendations have been included as mitigation measures and recommended to be included as conditions of consent.</p>

4. SUMMARY AND CONCLUSION

This letter and the attached supporting documents satisfactorily respond to each of the issues raised within the authority and stakeholder submissions prepared in response to the RtS report dated 1 March 2021.

Minor modifications have been made to the architectural drawings and landscape plans. 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 enhance its potential impacts on the amenity of the locality, including weather protection for pedestrians.

- 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 awning design and additional signage details 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 support local employment during the construction and operation phases and contribute to increased local spending, economic growth and development.
- 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 modified proposal 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 and organisation submissions have been incorporated into the updated design 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.

Should you wish to discuss further, please do not hesitate to contact the undersigned or Georgia McKenzie on (02) 8233 9965.

Kind regards,



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