

**ANGEL PLACE  
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SYDNEY NSW 2000**

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1 June 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 25 May 2021. DPIE requested a response to the additional submission by the City of Sydney following their review of the Revised Response to Submissions (**RRtS**) report submitted by Wee Hur on 27 April 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**)
- Amended Landscape Report prepared by Turf Design Studio (**Appendix B**).
- Flood Study and Assessment Report prepared by JHA Consulting (**Appendix C**).
- JHA Consulting Response to City of Sydney and Swept Path Analysis (**Appendix D**).
- Crime Prevention Through Environmental Design Response prepared by Elton Consulting (**Appendix E**).
- The Transport Planning Partnership Response to City of Sydney (**Appendix F**).
- Amended Arborist Report prepared by Urban Arbor (**Appendix G**).
- Turf Studio Response to City of Sydney (**Appendix H**).
- Waste Management Response prepared by Waste Audit (**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. The response to the request for additional information was lodged by Wee Hur on 27 April 2021.

On 25 May 2021, DPIE issued a letter to the applicant requesting a response to three matters identified by the City of Sydney in their review of the revised RTS report:

- Public Domain
- Landscaping
- Waste Management

The detailed correspondence prepared by the City of Sydney (dated 21 May 2021) also provided feedback regarding three additional matters - heritage, urban design and tree management. While not specifically requested by DPIE, these matters have also been reviewed by Wee Hur in finalising their response.

## 2. AMENDED PROPOSAL

Wee Hur has made minor amendments to the proposal to address the matters identified by DPIE in their Request for Additional Information (RFI) and additional detailed feedback from the City of Sydney. The proposed changes include:

- The west facing terrace on Level 3 has been amended by consolidating the small planter boxes into one in-situ planter with a soil depth of 1m. The three *Tristania laurina* trees have been replaced by one *Stenocarpus sinuatus* (Firewheel Tree), expected to reach a height of between 8-10m.
- The two existing *Pistacia chinensis* trees along Marian Street are to be retained.
- The signage zone on the window to the east of the Regent Street entrance has been removed.
- The signage zone at the Regent Street entrance has been further developed to improve its integration with the fascia of the awning.

A copy of the updated architectural drawings prepared by AJ+C is attached as **Appendix A**. 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 B**.

## 3. RESPONSE TO DPIE REQUEST FOR ADDITIONAL INFORMATION

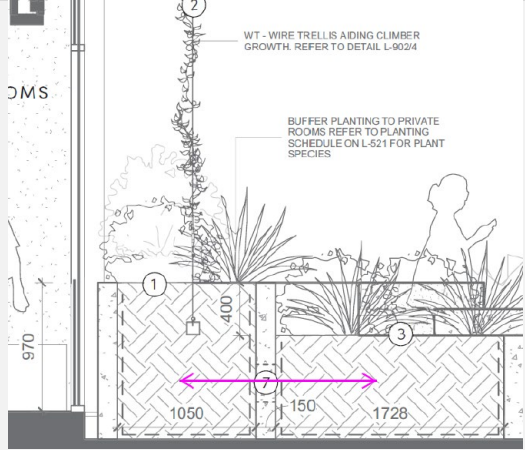
This section details the response to the key issues identified by DPIE in their correspondence dated 25 May 2021 (ie Items 1-3).

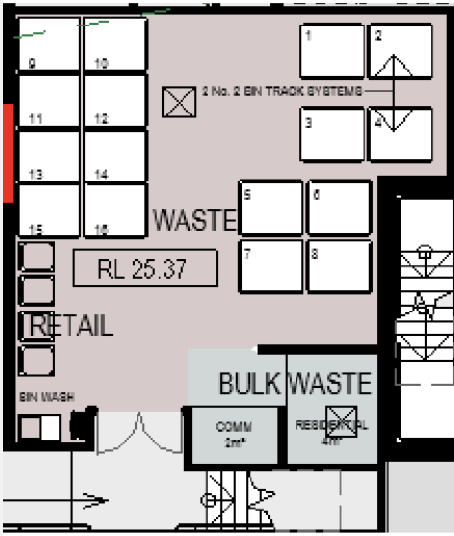
Table 1 Response to DPIE

Item	Issues	Action/ Response
1a	<p><b>Public Domain</b></p> <p>A Flood Study and Assessment report, prepared by JHA, has been submitted with the RRTS. However, the report must be signed before it can be accepted.</p>	<p>A signed copy of the Flood and Assessment report has been provided at <b>Appendix C</b>.</p>
1b	<p>The City requires that a swept path analysis be provided for truck entry and exit to the loading dock.</p>	<p>A swept path analysis has been prepared by JHA Consulting and is provided at <b>Appendix D</b>. Further discussion regarding the proposed waste collection, including the collection vehicle dimensions, is provided in response to Item 3A in this table.</p>
1c	<p>It must also be ensured that door openings of the development remain on private land and do not open onto public space on William Lane.</p>	<p>A land dedication plan has been prepared (refer <b>Appendix A</b>) which seeks to dedicate the widened footpath area along Marian Street to Council. The footpath along William Lane is to be retained in private ownership, consistent with the through-site link further south on William Lane which is also to be delivered by Wee Hur.</p> <p>The Transport Planning Partnership (TPPP) have confirmed most door openings occur within the building line. The access door to the substation and fire stair will open over the footpath. However, access to/from these doors will be infrequent so the potential implications for pedestrian movements along the footpath is negligible (<b>Appendix F</b>).</p> <p>Elton Consulting have also reviewed the door openings from a safety and security perspective (<b>Appendix E</b>). It is considered the proposed design will 'minimise blind-corners, recesses and other external areas that have the potential for concealment or</p>

Item	Issues	Action/ Response
		entrapment', as well as the fire safety principles that support outward or escape direction facing doors.
1d	<p>The City makes a specific comment regarding footpath widening. Where a footpath is being widened on William Lane and Marion Street as part of this development, confirmation must be sought prior to determination as to whether this land will be dedicated to the City. Therefore, a separate land dedication plan must be submitted to the City to clarify this.</p> <p>It is noted that detailed consideration to the public domain does not form part of this approval. As such, a separate public domain plan would need to be submitted to the satisfaction of the City prior to the issue of Construction Certificate.</p>	<p>A separate land dedication plan has been prepared by AJ+C and is provided within the amended Architectural Plans at <b>Appendix A</b>.</p> <p>It is acknowledged further detailed information will be required regarding the public domain improvements prior to construction and in accordance with any relevant conditions of consent.</p>
2a	<p><b>Landscaping</b></p> <p>Generally, there has been limited response to the previous concerns raised by the City in earlier iterations of this development. The proposed landscaping continues to be limited. The 15% canopy coverage requirement within 10 years of completion as prescribed under Sydney DCP 2012 will not be met. The canopy coverage from street trees within Council land does not count towards the canopy provided from the site. Specifically, the Syzygium 'aussie sothern' located on the level 3 roof top and the Tristaniopsis laurina are not of a size that would require their retention and protection under Sydney DCP 2012 and, therefore, do not contribute to the canopy cover of the site. The landscape plans must be amended to provide the required 15% canopy cover under the Sydney DCP 2012 controls.</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 (<b>the DCP</b>) 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>Based on the above, the 15% canopy coverage under Sydney DCP 2012 does not apply to the site or the proposal.</p> <p>Regardless of the above, the western terrace on Level 3 has been amended to</p>

Item	Issues	Action/ Response
		respond to the City of Sydney feedback on a merit basis, including the replacement of the three smaller trees with one medium tree (refer Item 2d for further detail). The proposed changes are detailed in the amended Landscape Plans ( <b>Appendix B</b> ). Further detailed justification for the proposed landscape treatment is provided in the response to City of Sydney comments prepared by Turf Design Studio ( <b>Appendix H</b> ).
2b	Based on the low-growing species listed in each relevant planter mix and the lack of detail on fenestration and screening in this location, this remains unconfirmed.	<p>The eastern terrace interface includes mid-level screening, (Cordyline stricta and Blechnum 'silver lady') and supplementary screening (Cordyline glauca).</p> <p>The western terrace interface includes climbing species along vertical wires. Additional mid-level shrub planting is proposed to supplement the original planting to increase visual screening. Cordyline stricta and glauca have been added to the updated Landscape Plans (<b>Appendix B</b>).</p>
2c	The garden beds proposed on Level two are not large or deep enough to sustain trees and must be amended to provide adequate soil volumes for the planting of trees as laid out within the Sydney Landscape Code. The smaller raised planters should be consolidated and made contiguous to allow for the soil volume and depth that can sustain mature trees.	The Landscape Plans have been updated to raise planters and provide wall cut-outs through back-to-back planters with a 50% permeability ratio to increase shared soil volumes as shown below.

Item	Issues	Action/ Response
		 <p>WT - WIRE TRELLIS AIDING CLIMBER GROWTH. REFER TO DETAIL L-903/4</p> <p>BUFFER PLANTING TO PRIVATE ROOMS REFER TO PLANTING SCHEDULE ON L-921 FOR PLANT SPECIES</p>
2d	<p>The three 'Tristaniopsis laurina – Small' within the Level 3 rooftop must be replaced with one medium sized tree and the rooftop terrace amended to be a garden bed that provides soil volumes consistent with the Sydney Landscape Code.</p>	<p>The Level 3 west facing terrace has been amended and the small planter boxes consolidated to form one in-situ planter which covers the entire rooftop area with a soil depth of 1m. The three Tristaniopsis laurina trees have been replaced by one Stenocarpus sinuatus (Firewheel Tree), expected to reach a height of between 8-10m. These changes have been reflected in the updated Landscape Plans at <b>Appendix B</b>.</p>
2e	<p>The limited detail on the glass canopy over the communal open space means that the stated gaps, which are necessary to allow heat to escape, is not confirmed. This detail, and the subsequent viability of the planting, remains in question. Substantially, more detail is required to confirm the viability of the landscape proposal, however given the lack of clarification to this point, this should be done to the satisfaction of DPIE.</p>	<p>The supplementary response provided by Turf Design confirms adequate airflow and natural irrigation can be provided to the planter areas to supplement the automatic subsurface drip irrigation system. The glass awning will also allow adequate natural light to the planter areas.</p>
3a	<p><b>Waste Management</b></p> <p>The City reiterates previous comments with respect to the insufficient spaces allocated for waste and recycling management facilities and storage.</p>	<p>A Waste Management Response has been prepared by Waste Audit (<b>Appendix I</b>) which reconfirms the proponent will utilise a private waste collection service.</p> <p>The site constraints and access restrictions will not accommodate a standard Council</p>

Item	Issues	Action/ Response
	<p>Waste loading area and arrangements are not in line with the Guidelines for Waste Management in New Developments 2018. The current design does not meet the requirements for a Council collection. Access and loading areas must be built to accommodate a City waste truck as per the required specifications detailed in the Guidelines and demonstrate a maximum 10 metre travel distance between the storage point and collection point for all waste and recycling bins and bulky waste.</p>	<p>waste collection vehicle. The use of a private waste collection service is a commonly accepted practise where Council's standard provisions cannot be met.</p>
3b	<p>There must be separation between residential and commercial waste/recycling storage areas. These waste storage areas and bulky waste storage areas must be separated and clearly labelled on the architectural plans. At least 2 square meters of commercial bulky waste storage space must be provided for the retail space as well as space in close proximity to retail premises to store re-usable items such as crates and pallets so that storage in the public space can be avoided.</p>	<p>Residential and commercial waste/recycling storage areas are separated as shown on architectural drawings and as per the following extract:</p>  <p>A temporary 4m<sup>2</sup> holding room will be constructed in the basement for bulky residential waste. Students will deposit items in this room and Building Management will transfer any items to the main bulky waste storage room on Lower Ground level. A separate 2m<sup>2</sup> commercial bulky waste storage space is provided to service the retail tenancy.</p>

Item	Issues	Action/ Response
3c	The City does not support the compaction of waste within the bin (bin press). Compaction is supported for general waste only with the use of an above bin compaction device.	Compaction will be applied to general waste only. Compaction may not be required as a private contractor will collect waste multiple times per week. If compaction is applied, the private contractor will supply purpose-built reinforced bins.
3d	The Waste Management Plan (WMP) must provide details of the ongoing management of the chute systems including bin transfers, rotation and arrangements for periodic servicing or chute failure. Additionally, WMPs for demolition and construction must be submitted. These plans are to include location of material storage areas for reusable materials and recyclables during demolition and construction; estimation of percentage of materials to be reused or recycled.	An updated Operational WMP will be submitted with details of ongoing management of the chute systems once the final system has been selected and prior to issue of the Occupation Certificate.  Demolition and Construction WMPs were provided with the original EIS.

## 4. RESPONSE TO ADDITIONAL CITY OF SYDNEY FEEDBACK

While not specifically requested by DPIE, additional consideration was given to the other detailed matters identified by the City of Sydney in their feedback.

The following table outlines Wee Hur's responses to the issues raised regarding urban design (Item 2) and tree management (Item 4). Our previous responses to the issues raised regarding heritage (Item 1) remain unchanged and accordingly, have not been addressed further within this letter.

Table 2 Additional Response to City of Sydney Feedback

Item	Issues	Action/ Response
2a	<b>Urban Design</b>  <b>Signage</b>  There is a new proposed signage zone on the top of the awning on the east elevation along Regent Street. This zone would be acceptable if the height of the sign is synonymous with the height of the awning. It	The signage zone at the main Regent Street entrance has been further developed to improve its integration with the fascia of the awning. The sign is aligned with the height of the awning, as shown in the amended Architectural Plans at <b>Appendix A</b> .



Item	Issues	Action/ Response
	must be well integrated into the architecture of the building.	
2b	It is reiterated that the signage zone for a window sign next to the Regent Street entry does not provide an inviting and active street frontage. It creates visual clutter having regard to the additional signage zone for an awning sign within the same area of the Regent Street frontage and is recommended to be deleted.	The signage zone in the window adjacent to the Regent Street entry has been removed from the Architectural Plans ( <b>Appendix A</b> ).
4	<p><b>Tree Management</b></p> <p>The City does not support the removal of the street trees nos. 2 and 3 (Chinese Pistachio Trees) to facilitate construction access. All plans and documentation must be amended to show retention and protection of these street trees. The branches can be tied back during the installation of the proposed awning. Any necessary pruning must be specified by a AQF5 Arborist.</p> <p>The protection and retention of all existing trees is a priority for the City of Sydney. Trees are long term assets that the community highly values. The proposed development and associated landscaping in the vicinity of trees, including street trees, has a high potential to impact in their health and structure. As such, existing street trees surrounding the site on Council owned land must be retained and protected in accordance with the Australian Standards AS4970-2009 - Protection of Trees on Development Sites. Further, all new proposed street tree plantings must be specified in accordance with the City of Sydney Street Tree Management Policy.</p>	<p>The two existing Pistacia chinensis trees along Marian Street are to be retained.</p> <p>An Amended Arborist Report has been prepared by Urban Arbor (<b>Appendix G</b>) which has deleted any reference to the removal of Trees 2 and 3. Turf Design Studio have included the retention of Trees 2 and 3 in the updated Landscape Plans (<b>Appendix B</b>).</p>

## 5. SUMMARY AND CONCLUSION

This letter and the attached supporting documents satisfactorily respond to each of the issues raised in the RFI letter issued by DPIE dated 25 May 2021. Consideration has also been given to the additional detailed feedback provided by the City of Sydney in their response dated 21 May 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 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 proposal will have an acceptable level of environmental impact as outlined within the original EIS and additional detailed responses. The retention of the street trees and the changes to the on-site landscape treatment as outlined within this supplementary response will enhance the appearance and biophilic function of the site.
- 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 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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