

Response to Submissions Preferred Project Report



60-78 Regent Street, Redfern

Student Accommodation

Submitted to NSW Department of Planning & Environment
On Behalf of Iglu Pty Ltd

March 2015 ■ 14395

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A	Amended Architectural Drawings <i>Bates Smart</i>
B	Response to Agency Submissions <i>JBA</i>
C	Summary of Public Submissions <i>JBA</i>
D	Addendum Design Report (incorporating view and privacy analysis) <i>Bates Smart</i>
E	Interim Site Audit Advice <i>Enviroview</i>

1.0 Introduction

An Environmental Impact Statement (EIS) for a State Significant Development Application (SSDA) for the site at 60-78 Regent Street, Redfern, was publicly exhibited for a period of eight weeks between 10 December 2014 and 2 February 2015.

In total 121 public submissions (including 48 template submissions) and 9 local and state government agency submissions were received in response to the public exhibition of the SSDA. The following key issues were identified as requiring a response or clarification:

- visual impacts and view loss;
- building height and scale;
- overshadowing;
- visual privacy;
- building separation and setbacks;
- transport, traffic and parking; and
- social issues and need for student housing.

The proponent, Iglu Pty Ltd, and its specialist consultant team have reviewed and considered the Department of Planning and Environment's and public agency's comments and the public submissions and have responded to the issues raised.

This Preferred Project Report (PPR) sets out the proponent's response to the issues raised, details the final project including a number of minor revisions to the SSDA and a final list of Mitigation Measures for which approval is now sought.

This report should be read in conjunction with the Environmental Impact Statement dated 5 December 2014 and forms part of the SSDA.

2.0 Preferred Project

A small number of minor design changes have been made in response to submissions received from government agencies and as a result of further project planning, and are detailed in the following sections. Accordingly, amended Architectural Drawings prepared by Bates Smart are provided at **Attachment A**.

2.1 Key Changes

2.1.1 Laneway and Retail Tenancies

The ownership of the small laneway off Redfern Street was identified as a potential issue in the project conception phases for Iglu Redfern. It had come to the project team's attention in early planning phases that this small parcel of land is not in public ownership, but is in fact owned by a deceased estate from the mid-1850s. The ownership of this land was not identified in the previous assessment of projects adjoining this laneway, such as for the 157 Redfern St (Redfern RSL) site (MP 09_0039), which includes a number of fire exits discharging directly to this laneway. The laneway is also used for storage and waste disposal by a number of retail tenancies adjoining this land, and a gate has been installed across the southern half of this laneway. Iglu has not been able to obtain land owner's consent from the deceased estate for the use of this laneway, and as such it is proposed to remove this parcel of land from the current SSDA. As a result, pedestrian access will no longer be provided via the Site through to Redfern Street. All proposed retail tenancies will address Regent Street, with a corridor of land provided within the Site for rear-servicing and emergency egress from these tenancies. This site boundary will be secured with a fixed fence.

In addition to the above, the Redfern Local Area Command of the NSW Police Force has requested that the internal laneway should not provide public access through to William Lane for safety reasons. The potential conflict between this pedestrian access and vehicle movements associated with the 7-9 Gibbons Street development was also raised as a matter of concern in public submissions. Given that William Lane is not activated and does not have pedestrian facilities, Iglu is willing to remove this linkage.

As a result of the above, Bates Smart have made a number of design changes to the proposed ground level within the Site. Only one pedestrian entrance will now be provided to the Site (from Regent Street), and this will be for the purpose of providing access to the dance studio, rear-servicing of the ground-level tenancies and fire access. A new waiting area/lobby will be created for the proposed dance studio to fill this corner. Fire egress will continue to be provided to William Lane to comply with the relevant fire and building standards.

The proposed design does not preclude the conversion/upgrade of the internal laneway to provide access through to Redfern Street should the land ownership be resolved at a future stage.

Amended Architectural Drawings detailing the proposed changes are provided at **Attachment A**, an extract of which is provided at **Figure 1** below.

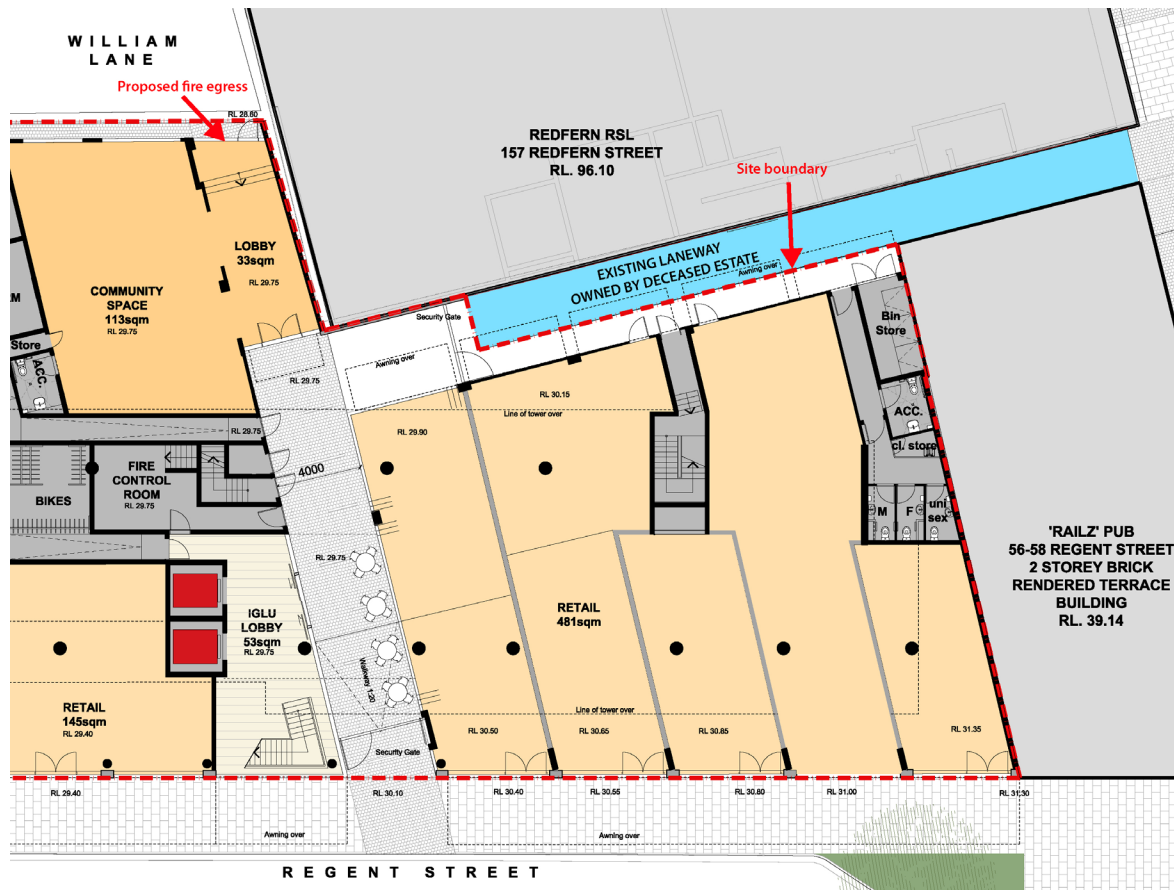


Figure 1 – Extract from amended ground floor plans
Source: Bates Smart

2.1.2 Additional Privacy Measures

A number of public submissions raised concern regarding the proximity of west-facing bedrooms within the proposed development to dwellings in the adjoining mixed use development on the Redfern RSL site (157 Redfern Street). To minimise the direct visual interface between existing dwellings and proposed bedrooms, it is proposed to angle the window hoods for west-facing bedrooms by 45° to face away from the closest dwellings in the Redfern RSL site. The effectiveness of this design measure is discussed in **Section 4.2** of this report and in the addendum design statement provided at **Attachment D**. **Figures 2** and **3** below provide additional detail regarding the design and appearance of the modified window hoods.

In addition, operable window blinds will be installed to all west-facing bedrooms that allow students to completely block the window from ceiling to floor level.

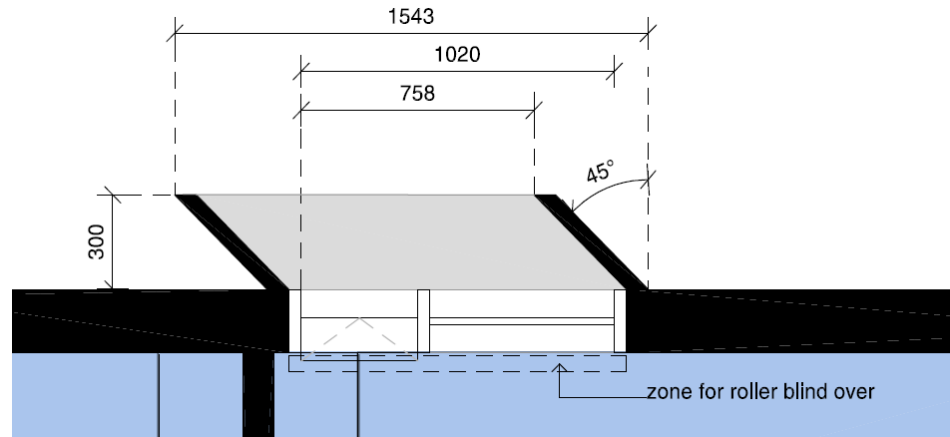


Figure 2 – Proposed detail of angled window hoods

Source: Bates Smart



Figure 3 – Detail of angled window hoods

Source: Bates Smart

2.1.3 Building height

The City of Sydney raised concern regarding the proposed floor-to-floor heights of 2.9 metres for the student accommodation levels. Bates Smart have amended the floor-to-floor height for all student accommodation levels to 3.1 metres. As a result, the maximum proposed building height (to top of plant) increases from RL 88.20 AHD to RL 91.40 AHD. The proposal continues to comply with the overall 18 storey building height control under the Major Development SEPP, and the overall building height continues to be lower than the two neighbouring residential flat buildings. The proposed rooftop plant enclosure would be open to the sky for ventilation reasons, and is not defined as a storey under the SEPP.

2.2 Description of Final Development Proposal

This application seeks approval for the following development:

- partial retention of Regent Street facades and demolition of existing buildings within the site;
- accommodation for 370 students within 134 units arranged as follows:
 - 85 x studio units
 - 4 x 4-bed room units
 - 1 x 5-bed room unit
 - 44 x 6-bed room units
- communal student facilities, including study areas, games room, common areas and laundry facilities;
- student accommodation administrative facilities;
- total gross floor area for student accommodation and ancillary facilities of 9,094m²;
- ground floor retail and commercial tenancies, including a dance rehearsal room, with a total gross floor area of 882m²;
- loading dock with vehicular access to William Lane;
- business identification signage;
- streetscape improvements and landscaping; and
- extension and augmentation of services and infrastructure as required.

The proposed development would have a maximum building height of 18 storeys (63.5 metres) and a gross floor area of 9,976m².

3.0 Summary of Submissions

The following section provides a detailed summary of the key issues raised by members of the general public.

3.1 Submissions by Public Agencies

Nine submissions were received from government agencies during the public exhibition period, including:

- Ausgrid;
- City of Sydney Council;
- Environment Protection Authority;
- NSW Heritage Council;
- NSW Police Force, Redfern Local Area Command;
- NSW Roads and Maritime Services;
- Sydney Water;
- Transport for NSW; and
- UrbanGrowth NSW.

Responses to the key issues raised by the agencies identified above are addressed at **Section 4.0** and in the detailed response to stakeholder submissions at **Attachment B**.

3.2 Approach to General Public Submissions

Each submission from a member of the public has been summarised. Because a large number of submissions raise similar issues, rather than addressing each submission individually, the issues raised in submissions have been summarised and, where possible, bundled into Issue Categories. A description of these Issue Categories is described in **Section 3.3.2** below.

To ensure that interested parties can cross check the issues raised in their own submissions with the proponent's response **Attachment C** provides the detailed summary of each submission (generally by submission number as allocated by DP&E), including:

- A description of each issue raised in each submission; and
- Allocation of each issue into the appropriate Issue Category (where possible).

3.3 Analysis of Public Submissions

This section provides an understanding of who has made submissions as well as a brief analysis of the numerical significance of issues raised in submissions from the general public. This analysis has not been carried out to discount issues that are raised within fewer submissions, but is intended to help the decision makers understand which issues are of more concern to more people. A full breakdown of public submissions is provided at **Attachment C**.

3.3.1 Geographic Distribution of Submissions

99 of the 120 submissions received disclosed the street address of the resident making the submission, whilst a further 17 disclosed only the suburb of the resident. **Figure 4** below summarises the origin of all submissions.

Of those submissions where the street address was disclosed (i.e. excluding undisclosed addresses), the vast majority (72%) were from the two neighbouring residential flat buildings at 7-9 Gibbons Street and 157-161 Redfern Street (Redfern RSL site). 86% of submissions identifying the suburb were from a Redfern address. This indicates that interest in the SSDA is primarily local.

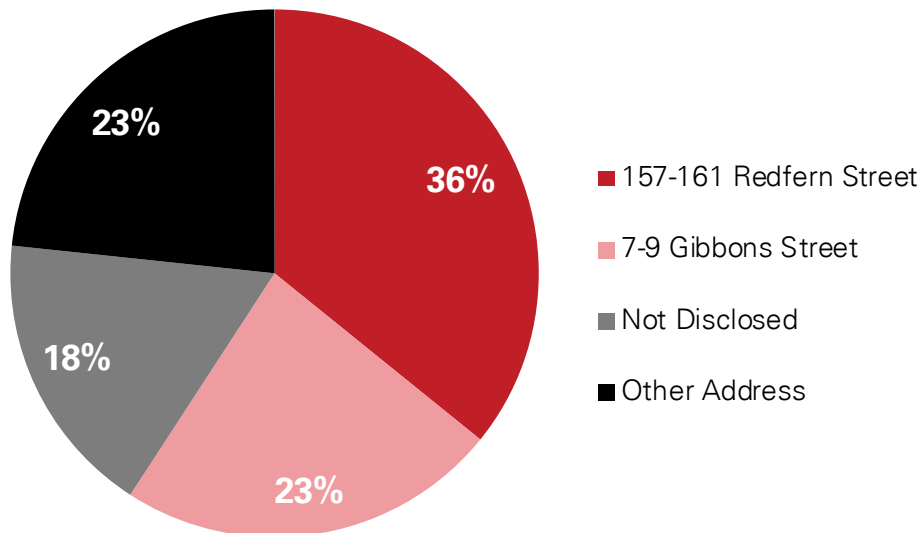


Figure 4 – Street address of individual or group making submission

3.3.2 Description of Issue Categories

This section provides a summary of the range of issues that have been raised in the submissions from the general public. For each Issue Category that has been identified, **Table 1** provides a high level description of the matters raised in these submissions.

Table 1 – Description of Issue Categories summarising submissions from the public

Issue Category	Description of Issue Category
Community Consultation	Included submissions relating to the community consultation and stakeholder engagement undertaken by the proponent and the notification process undertaken by the Department of Planning & Environment.
Building Separation	Included submissions relating to the separation between the proposed building and existing buildings. These submissions discussed compliance with planning controls and the visual intrusion of the building mass.
Regent Street Setback	Included submissions regarding the proposed upper-level setback to Regent Street, including compliance with the Major Development SEPP height limit and the effect on the streetscape.
Building Height	Included submissions regarding the height of the proposed building.
Overshadowing	Included submissions regarding potential overshadowing of private dwellings in adjoining buildings.
View Loss	Included submissions regarding the impact of the proposed development on views from existing private dwellings, particularly those obtained from dwellings in the adjoining buildings at 157 Redfern St and 7-9 Gibbons St.
Privacy	Included submissions regarding the potential impacts of the development on the privacy of residents in the adjoining residential flat buildings as a result of proposed west-facing bedrooms.
Laneway	Included submissions regarding the proposed laneway connections from Regent Street through to William Lane and Redfern Street.
Heritage	Included submissions about the impact of the proposed development on the heritage character of Redfern, Regent Street and the individual buildings on the Site.

Issue Category	Description of Issue Category
Car Parking & Traffic	Included submissions regarding the lack of on-site car parking, availability of on-street car parking, potential traffic impacts during construction and operation and safety of vehicle movements in William Lane.
Noise Impacts	Included submissions regarding acoustic impacts during construction and operation.
Wind Impacts	Included comments about the potential impact of the proposed development on wind movements at ground plane and the ventilation of apartments in the adjoining residential flat buildings.
Social Issues	Included submissions about the introduction of non-family households into the Redfern area, concerns regarding the propensity of students to consume alcohol in local venues and other potential social impacts.
Need for Student Housing	Included submissions that questioned the need to provide student housing in Redfern.
Design Quality	Included submissions about the architectural quality, materials and finishes and overall design concept.
Property Value	Included submissions that stated that the proposed development would negatively impact upon the value of nearby properties.
Miscellaneous	Included submissions raising other issues that were not captured in the preceding Issue Categories.
General Objection, non-specific	Included submissions that objected to the proposed development without providing any reasons for the basis of objection.

3.3.3 Analysis of Issues

A statistical profile of the issues raised in submissions has been compiled in order to provide an understanding of the high-level issues which are important to more people. The results of this analysis are included in **Figure 5** and **Table 2**.

As shown in **Figure 5** and **Table 2**, the most important aspects of the proposal to the general public were:

- overshadowing;
- car parking and traffic impacts;
- visual privacy;
- demand for student housing; and
- impacts on property values.

The issues raised in the public submissions which have been identified by the NSW Department of Planning & Environment and the proponent as key assessment issues are addressed in detail at **Section 4.0** of this report.

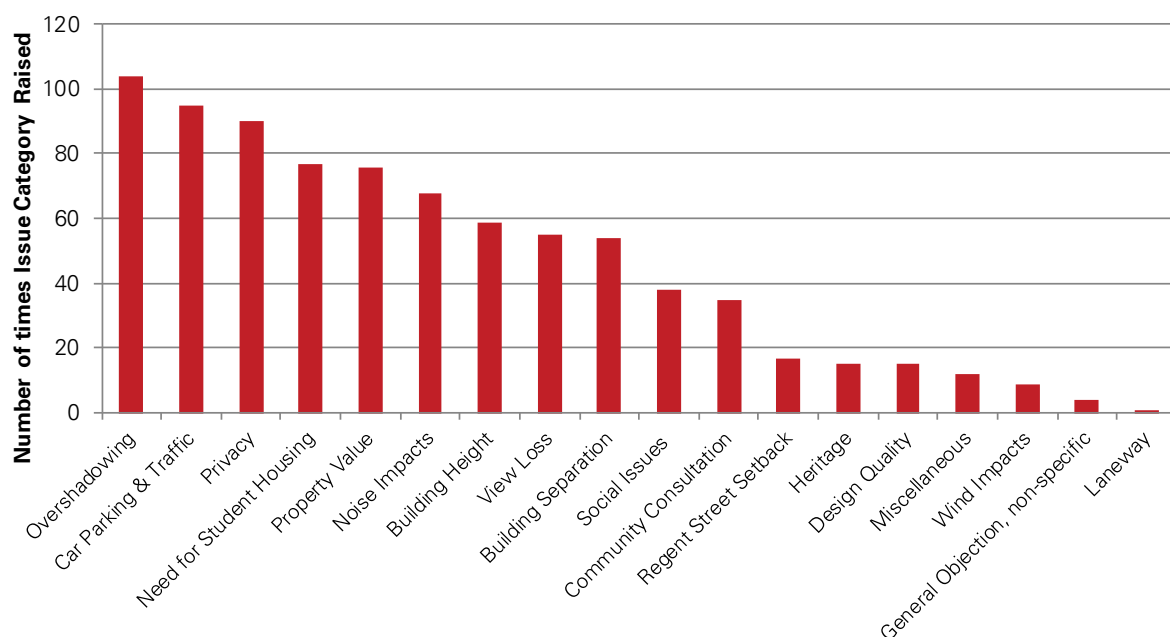


Figure 5 – Breakdown of submissions on the SSDA by Issue Category
Source: JBA

Table 2 – Summary of analysis of issues raised in public submissions

Issue Category	Number of Submissions Raising Issue	Percentage of Total Submissions Raising Issue
Overshadowing	104	87%
Car Parking & Traffic	95	79%
Privacy	90	75%
Need for Student Housing	77	64%
Property Value	76	63%
Noise Impacts	68	57%
Building Height	59	49%
View Loss	55	46%
Building Separation	54	45%
Social Issues	38	32%
Community Consultation	35	29%
Regent Street Setback	17	14%
Heritage	15	13%
Design Quality	15	13%
Miscellaneous	12	10%
Wind Impacts	9	8%
General Objection, non-specific	4	3%
Laneway	1	1%

4.0 Proponent's Response to Key Issues and Further Environmental Assessment

The following section provides a detailed response to the key issues raised by the public as well as local and state government agencies. Matters identified as key assessment issues by the NSW Department of Planning and Environment are addressed in the following sections, whilst a detailed response to government agency submissions is provided at **Attachment B**.

4.1 Visual and View Impacts

The impact of the proposed building height on the visual outlook for east-facing dwellings in the 157 Redfern Street and 7-9 Gibbons Street buildings, as well as potential view loss, was raised as a substantive issue in a number of public submissions. The following response divides the consideration of these issues into the consideration of view loss (the blocking of outlook by the proposed building) and visual impact (the impact of the aesthetic of the proposed building's western façade).

4.1.1 View Loss

55 submissions from the public objected to the impact of the proposed development of existing views gained from existing east-facing dwellings in the 7-9 Gibbons Street and 157 Redfern Street (Redfern RSL) buildings. The height of the proposed building was also raised in 59 submissions. It is noted that many of the submissions raised both issues together, so that the number of submissions raising either of these issues is much lower than the combined total. The issue of view loss was not raised in submissions from Council or other government agencies.

The Department of Planning & Environment has requested that this Response to Submissions address the planning principle enunciated by the NSW Land and Environment Court in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140 (Tenacity). In *Tenacity*, Senior Commissioner Roseth sets out four steps that must be considered in assessing whether view sharing is reasonable, which are addressed below. We do note, however, that the situation in the proposed development is distinguished from the *Tenacity* case on two points.

Firstly, the discussion of view sharing in the *Tenacity* case was based on a provision of the Warringah Local Environmental Plan 2000 that specifically stated that "development is to allow for the reasonable sharing of views". There is no such clause under the planning controls for Redfern-Waterloo sites under the Major Development SEPP, which instead clearly envisage the development of a series of tall buildings within the Redfern town centre. Section 4.2 of the Draft Urban Design Principles states that one of the objectives is "to enable view sharing by residents and office workers alike to the city skyline and district views to the south of the site". This objective is to be given less weighting than the objectives of the Major Development SEPP, and in any case make no mention of eastern views which are those affected by the proposed development.

Secondly, Roseth SC specifically states in his judgement (at 25) that there are certainly circumstances that do not require any view sharing and where it may be entirely reasonable for a development to entirely block a view. The relevance and reasonableness of applying the *Tenacity* principles, made in the context of a three-storey building in a coastal suburban setting, to the current development proposal is therefore disputed.

Notwithstanding these points, we are nonetheless satisfied that the proposed development satisfies the tests in Tenacity as follows.

Step 1 – What are the views that would be affected?

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The views to be affected are district views over the Waterloo area. The most prominent features in these views are residential towers in the Waterloo area. These are not iconic views or water views. This is confirmed by the fact that the Draft Urban Design Guidelines mention only northern and southern views as being worthy of protection via view sharing. The extent of views gained from the affected apartments in the Redfern RSL and Gibbons St buildings are also substantially limited by the use of solid balustrades that eliminate up to half of the potential view from these dwellings.



Figure 6 – Selection of existing views from nearby dwellings provided in public submissions
Source: Public submissions No.102 and 120

Step 2 – Where are views obtained from?

The second step is to consider from what part of the property the views are obtained. For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

Views are obtained from the east-facing dwellings in the mixed use buildings on the Redfern RSL and Gibbons Street buildings. These east-facing dwellings are oriented toward the side and rear boundaries of these properties and directly toward the common property boundary with the Iglu site. Based on the photographs included in some of the public submissions, it can be expected that the majority of views obtained are standing views due to the solid balustrade blocking out lower-level/sitting views.

Step 3 – What is the extent of the impact?

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Bates Smart has prepared a series of diagrams illustrating the extent of view loss from the main living areas of the apartments within the Redfern RSL building (**Figure 7**) and the Gibbons Street building (**Figure 8**), which are also included in higher resolution at **Attachment D**. Views have been assessed from a standing position in the main living areas of each apartment. Views from other dwellings within these properties are considered to be unaffected by the proposal and therefore have not been represented.

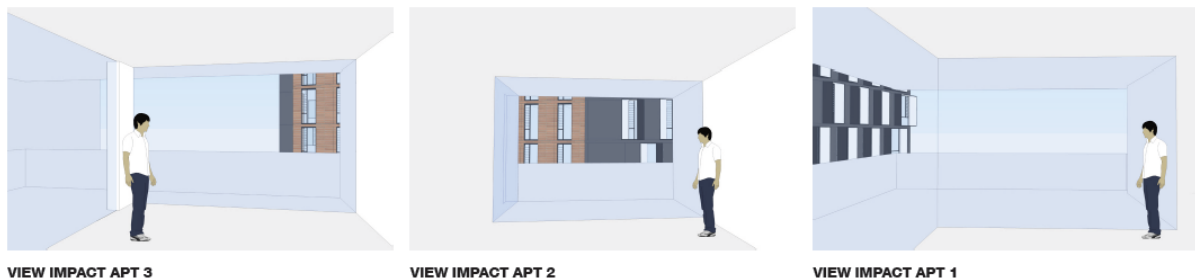
Table 3 summarises our assessment of the impact of the proposed development on each view. Given that the views obtained are district views, are generally homogenous and without iconic or special features such as water views, this assessment largely reflects a quantitative assessment of how much of the view is affected.

The assessment in **Table 3** below indicates that the impact on Apartment 2 dwelling on each level of the 157 Redfern Street building will lose their entire existing easterly views and is assessed as severe, view impacts to all other dwellings are generally considered to be moderate or less. In this building, Apartment 1 will continue to retain southerly views, whilst Apartment 3 will retain the majority of its easterly aspect. The view impact to Apartment 2 has been assessed as severe rather than devastating on the basis that whilst the view is entirely lost, the single-aspect orientation, narrow view angle and the reasonable expectation of an owner/occupier of this apartment type that any future development would obstruct these views.

In the 7-9 Gibbons St building, view from the living area of Apartment 4 will be unaffected by the proposed building, whilst there will be some minor loss of views to Apartment 5.

Table 3 – Assessment of extent of impact of view loss

Location of view	Assessed impact of view
157 Redfern Street (Redfern RSL) building	
Apartment 1	Moderate
Apartment 2	Severe
Apartment 3	Minor
7-9 Gibbons Street building	
Apartment 4	No Impact
Apartment 5	Negligible

**Figure 7** – View impacts to dwellings within Redfern RSL building
Source: Bates Smart

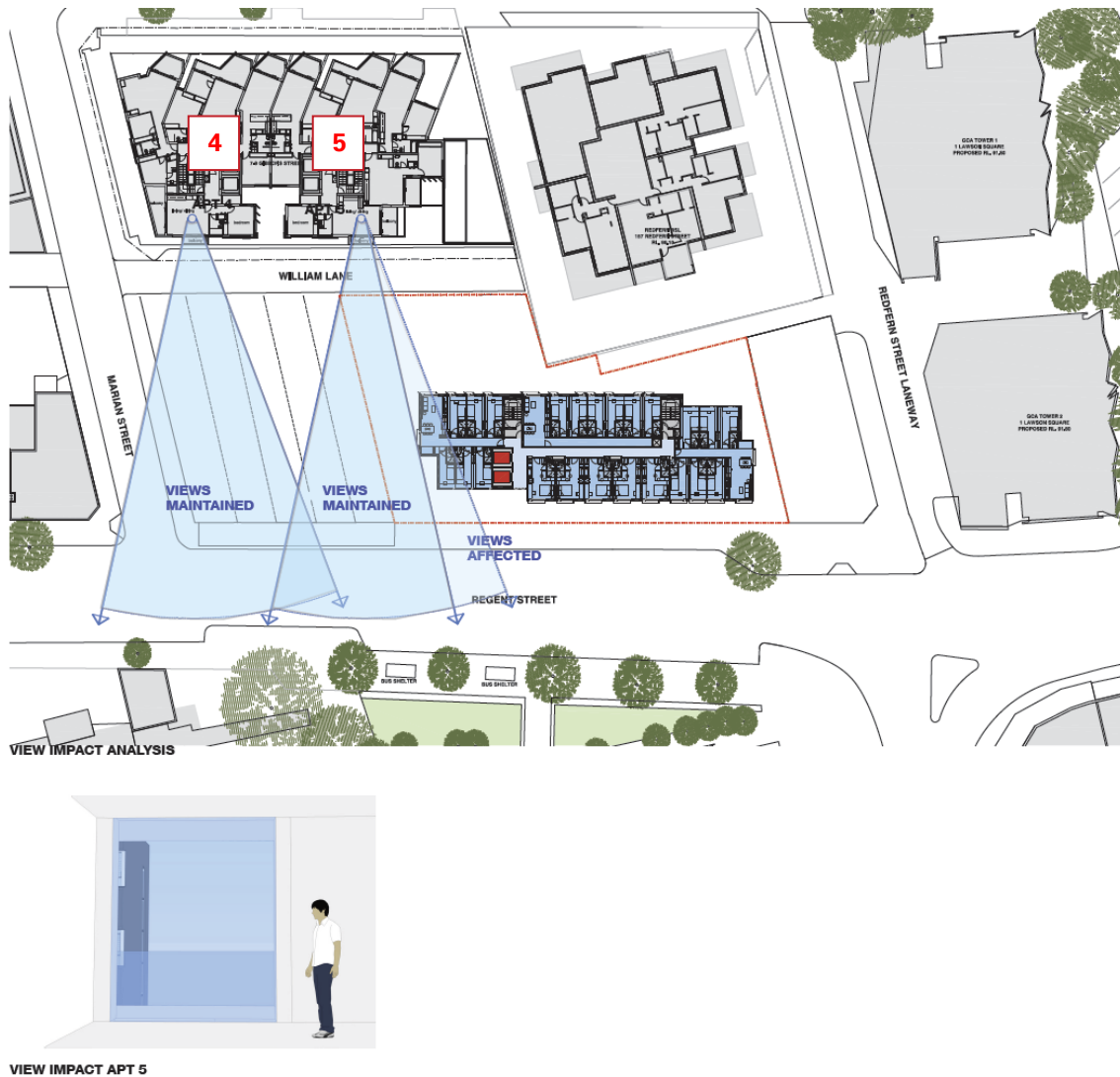


Figure 8 – View impacts to dwellings within 7-9 Gibbons Street building
 Source: Bates Smart

Step 4 – How reasonable is the proposal causing the views to be lost?

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

Compliance with Planning Controls

The proposed development complies with the maximum building height and floor space ratio (FSR) development standards that apply to the site under the Major Development SEPP and which pre-date the approval of both the 157 Redfern Street and 7-9 Gibbons Street mixed use developments. There is a minor non-compliance with the lower street frontage height for which a SEPP 1 objection has been provided, however, this variation does not give rise to any negative impacts

on views. If anything, the reduced setback reduces the extent of view impacts by permitting the distance between the proposed building and the existing building to be maximised.

The proposed 18 storey building form proposed in this SSDA complies with the same planning controls that facilitated the development of the buildings on the Redfern RSL site and at 7-9 Gibbons Street. **There is no reasonable expectation for dwellings at 157 Redfern St and 7-9 Gibbons St to enjoy eastern views across the Iglu site, any more than there could be a reasonable expectation for the proposed Iglu building to enjoy western views across those sites.** The fact that the existing buildings were developed prior to the Iglu site does not give dwellings in these buildings any greater claim to the affected views.

Architectural Design

The second part of this step is to consider whether a more skilful design could provide the applicant with the same development potential and reduce the impact on the views of neighbours. It is important to note that the proposed student accommodation use permits a viable building footprint that is far smaller than the comparable footprints for a residential or commercial use (which are also permitted on the Site), and therefore inherently by its land use and floorplan represents a more skilful design.

As noted in the EIS, the architectural design of the building has had regard to a number of design considerations apart from view impacts, including the need to maximise the development potential to reflect the high accessibility and amenity of the locality, minimise overshadowing, provide adequate setbacks and visual privacy to adjoining sites and make a positive contribution to Regent Street. The design outcome by Bates Smart is considered to be the most appropriate balance of the sum of these considerations, and is considered to achieve design-excellence. It is noted that the City of Sydney's submission acknowledges these competing design drivers and does not raise any issues with the architectural quality, design excellence or view impacts of the proposal.

The proposed building design achieves a slender building footprint that minimises overall bulk as well as impacts on southerly views, which are prioritised under the Draft Urban Design Guidelines for the Redfern Centre.

Conclusion

Whilst the development of the proposed building will result in the partial loss of views from a number of adjoining dwellings, and the complete loss of views from a small number of single-aspect apartments, this is consistent with the planning controls for the development of both the affected dwellings and the Iglu site. With regard to the test in Tenacity, the view impacts are considered to be acceptable as they are entirely reasonable in the context of the well-established planning controls for the Site.

4.1.2 Visual Impact

A number of submissions raised concern regarding the visual impact of the proposed building on the outlook of east-facing dwellings in the adjoining residential flat buildings. Discussion of this issue was infrequent in comparison to submissions regarding impacts on views, and in many cases discussion was intertwined with discussion of view loss. As discussed in **Section 4.1.1** above, the view impacts of the proposed development are considered to be acceptable. The architecture and design quality of the building was not generally a matter of concern in the submissions.

Section 6.3 of the Architectural Design Report prepared by Bates Smart and included in the EIS provides detailed information regarding the materiality and articulation of the western building façade. The architectural design of the proposed development is considered to be of a high standard, provides for strong articulation of facades and incorporates high quality materials that will contribute positively to the aesthetic of the building. **Figures 9 and 10** below provide an impression of the western building façade's articulation and material use, and should be read in conjunction with the Architectural Design Statement exhibited with the EIS.

Given the high standard of architecture, strong articulation and use of high-quality materials and finishes, it is considered that the visual impact of the proposed development is acceptable.



Figure 9 – Indicative view of western facade articulation and materials
Source: Bates Smart

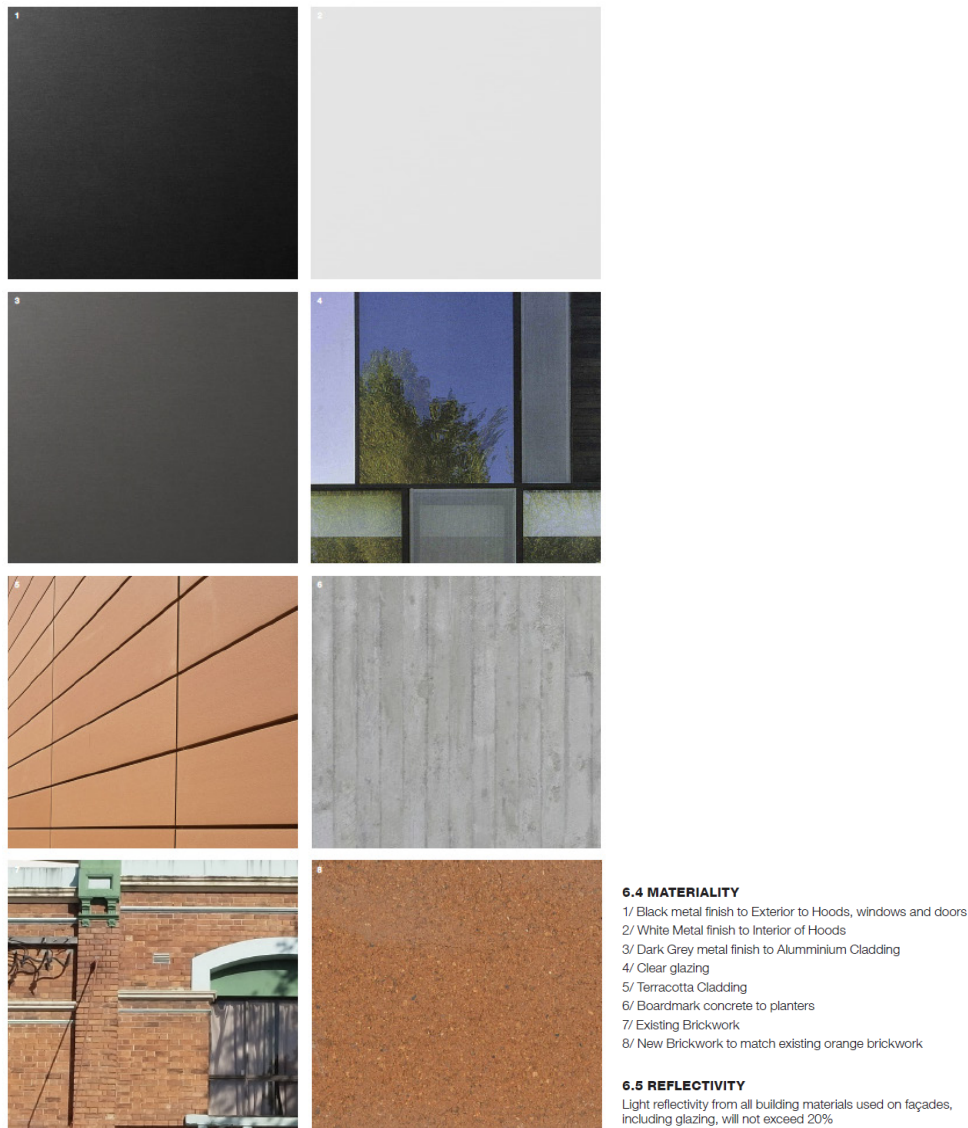


Figure 10 – Extract from façade materials schedule contained in Architectural Design Report
Source: Bates Smart

4.2 Residential Amenity of Adjoining Properties

4.2.1 Privacy

90 submissions raised concern regarding the impact of the proposed development on the internal visual privacy of dwellings adjoining the Site, particularly within the 157 Redfern St and 7-9 Gibbons St buildings. These submissions raised concern regarding the number and orientation of windows for west-facing bedrooms within the proposed development.

Amended Design Response

In response to these community concerns, Bates Smart have developed a design solution that will reduce direct views toward the affected dwellings and direct the views of residents within the Iglu facility away from the closest dwellings. As discussed in **Section 2.1.2** of this report, this solution involves:

- angling the external window hoods for west-facing bedrooms by 45° away from the closest dwellings; and
- providing operable blinds within west-facing apartments to enable students to further reduce direct lines of sight.

This is in addition to the initial design measure to provide window openings to west-facing bedrooms (1080mm wide) that are less than 50% of the size of windows to east-facing bedrooms (2300mm wide). It is also noted that the proposal does not incorporate balconies, which significantly minimises the direct visual and acoustic interface between the proposed student bedrooms and the balconies/living areas of adjacent dwellings.

The effect of the angling of the external window hoods is to further reduce the area of the direct western view from within the room by approximately 25% as illustrated in **Figure 11** below. Furthermore, the angling of the hoods will naturally encourage direct views away from the closest dwellings in the 157 Redfern Street building as illustrated in **Figure 12**. This design solution is considered to appropriately balance the need to improve the privacy outcome, continue to allow natural light to enter bedrooms and ensure that required ongoing maintenance and cleaning is feasible.

The combination of these design measures is considered to provide a substantial reduction in the extent of direct views toward the closest dwellings, and results in a substantially better visual privacy outcome compared to a larger unmitigated glazed façade with increased physical separation to accord with the RFDC 'rules of thumb', which are discussed below.

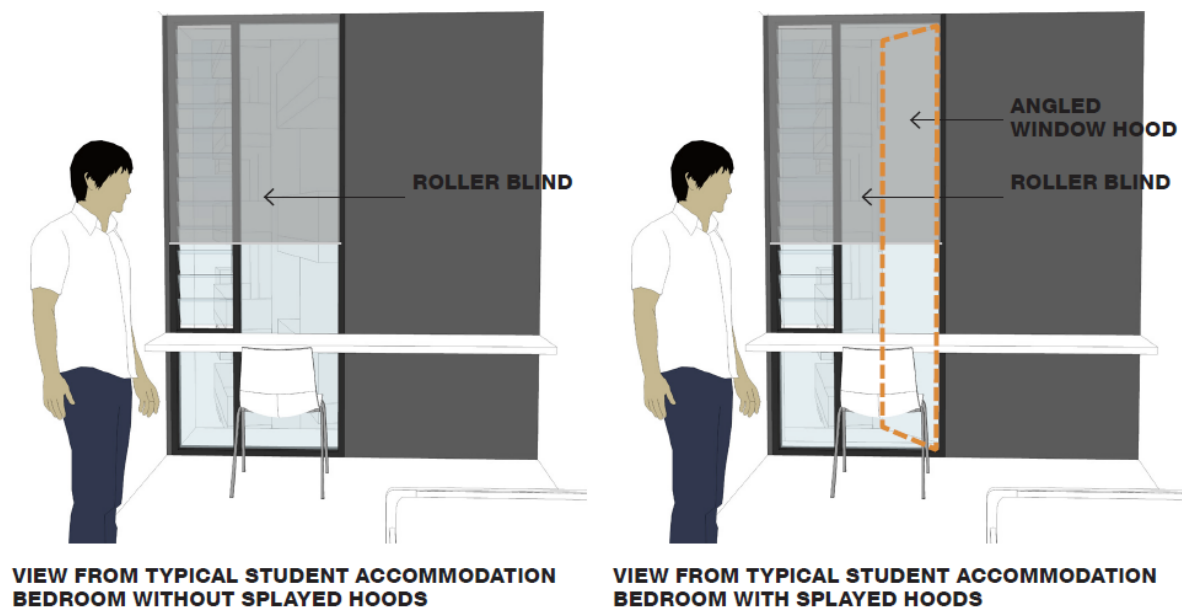


Figure 11 – Illustration of the effect of angled hoods in reducing western views
Source: Bates Smart

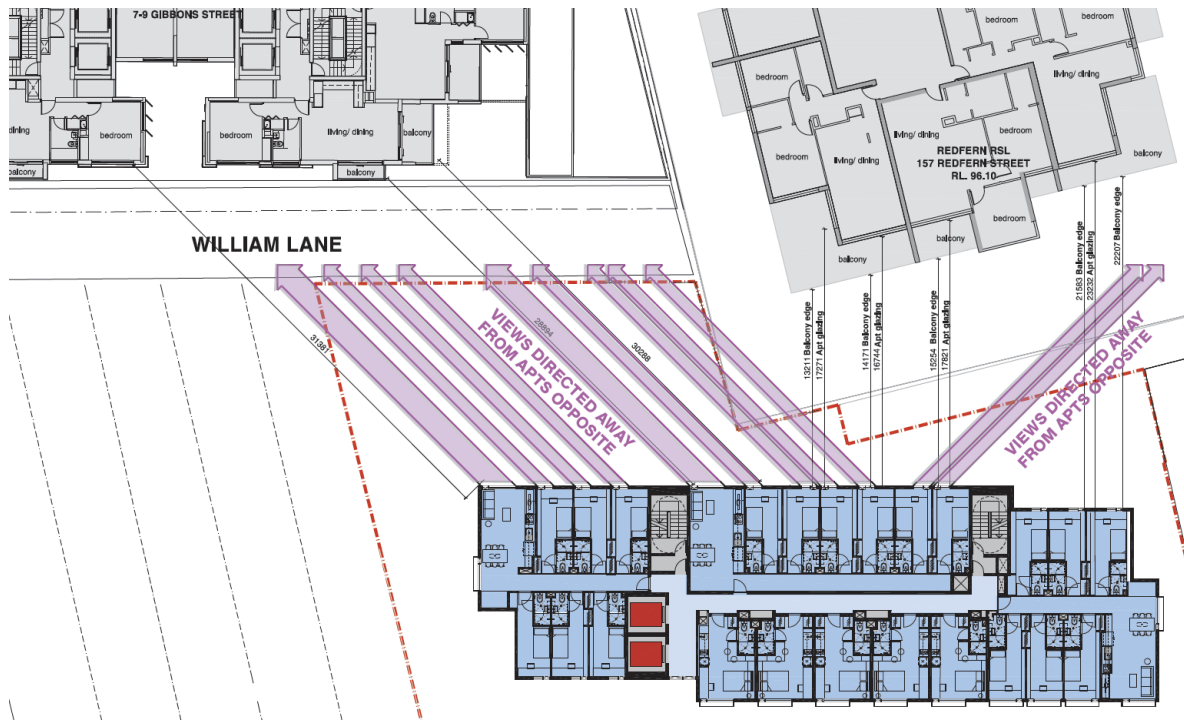


Figure 12 – Illustrative representation of directed-views from proposed bedrooms with angled window hoods

Source: Bates Smart

Adequacy of Proposed Physical Setback

A number of public submissions raised concern that the physical separation between the existing apartments in the 157 Redfern St and 7-9 Gibbons St buildings. In particular, a number of submissions raised concerns that the proposed development does not comply with the upper-level building separation controls for residential flat buildings under the RFDC.

The RFDC does not apply to student accommodation. The RFDC ‘rules of thumb’ establish building separation distances based on both privacy and urban form design considerations. **The RFDC ‘rules of thumb’ propose increased separation distances at higher levels, however, it is considered that the intent of this increased separation is for urban design reasons rather than privacy, given that there is no apparent difference between privacy needs of dwellings at lower, middle and upper levels.** At lower levels, the RFDC calls for a physical separation of 12 metres between habitable rooms/balconies, whilst this increases incrementally to a separation distance of 18 metres between 5 and 8 storeys and 24 metres above 9 storeys. The adjoining building provides a consistent boundary setback for all residential levels, with no additional setback for upper levels.

Figure 13 below illustrates the proximity of proposed bedrooms to existing dwellings in the 157 Redfern Street building, which demonstrates that the following minimum separation distances provided throughout the height of the building:

- Apartment 1:
 - Minimum 13.21m to balcony edge
 - Minimum 16.74m to living area
- Apartment 2:

- Minimum 15.25m to balcony
- Minimum 17.82m to living area
- Apartment 3:
 - Minimum 21.58m to balcony
 - Minimum 23.23m to living area

The proposed building separation complies with the 'rules of thumb' for lower levels and the separation to living areas is close to the 'rules of thumb' for middle levels. Under the RFDC, if the separation distances are achieved there is no need for additional privacy measures. Given the extensive privacy measures proposed to the western façade as discussed above, and given that the RFDC does not technically apply to the proposed development, it is considered appropriate to adopt a merit-based consideration of the reduced building separation for the upper levels. This is particularly the case given the built form context and constraints on providing an increased setback to the western boundary of the Site.

As discussed in the EIS, the characteristics of student accommodation are quite different to standard residential apartments and it is expected that students would spend comparatively little time in their bedrooms. Students are more likely to utilise communal living areas, and as such the comparison between student accommodation bedrooms and a habitable room under the RFDC is of only limited utility.

In the context of the Site's urban design context established by existing building separations and recent approvals, the proposed separation is considered to be consistent with the context of the locality. A minimum separation distance of 11.8 metres is provided between 157 Redfern Street and 7-9 Gibbons Street directly to the west of the Site. The proposed redevelopment of 1 Lawson Square (former TNT Towers) which was recently approved by the Planning Assessment Commissions (SSD 5249-2012) provides for a minimum building separation between the two towers of 11.78 metres. The proposed minimum building separation of 13.21m between the existing building at 157 Redfern Street and the proposed Iglu development is therefore considered to be consistent with the local built form context and nature of recent approvals.

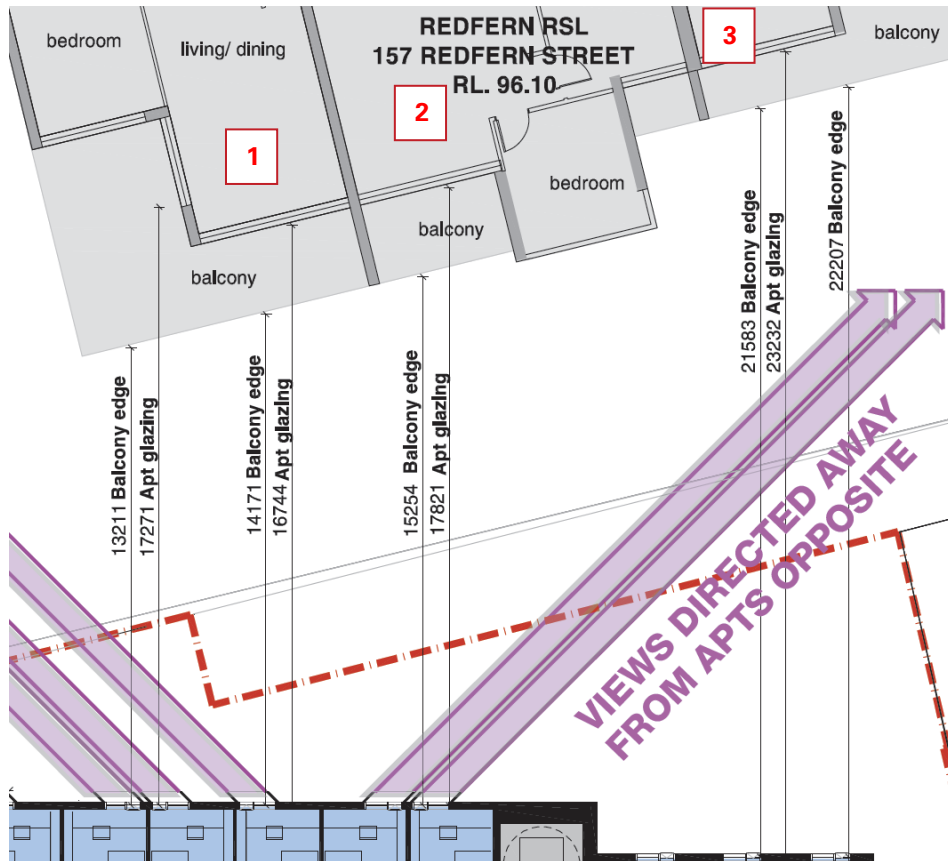


Figure 13 – Building separation measurements
Source: Bates Smart

Summary

Whilst the proposed development does not strictly achieve the middle and upper-level building separation requirements under the RFDC 'rules-of-thumb', this is considered to be acceptable given that:

- proposed building separation exceeds the intra-block separation provided between existing and proposed buildings at 7-9 Gibbons Street/157 Redfern Street and 1 Lawson Square, and is consistent with the characteristics of the location as a dense urban centre;
- significant design measures have been implemented to minimise the direct visual interface, including reducing the glazed area to less than 50% of comparable east-facing windows and the angling of window hoods to reduce direct line-of-sight and direct views away from closest residential dwellings;
- the interface is between the windows of student bedrooms and the balconies/living areas of adjoining dwellings, rather than a balcony-balcony interface, and is significantly less intrusive from both a visual and acoustic perspective than the interfaces envisaged in the RFDC building separation 'rules of thumb'; and
- the occupation characteristics of cluster bedrooms in student accommodation are markedly different from typical residential apartments, with students likely to spend substantially less time in private bedrooms and more time in communal open space areas that do not share a direct visual interface with adjoining dwellings, mean that there is less opportunity for visual intrusion.

4.2.2 Overshadowing

Overshadowing was the most prominent issue raised in public submissions, being raised in 104 of the 121 submissions received, which predominately related to overshadowing of dwellings in the adjacent residential flat buildings.

The EIS was accompanied by shadow diagrams illustrating the extent of shadows cast during the winter solstice in both 2D plan form, 3D 'view from sun' format and in elevation profile. As illustrated in the extract from these diagrams in **Figure 13** below, the only additional overshadowing of these buildings would occur from 9am at the winter solstice, and this shadow will have moved away from these dwellings by 10am.

We note that the original solar assessment for the 7-9 Gibbons Street building publicly exhibited with the environmental assessment for that development (MP 08_0112) stated that only west-facing apartments in this building would receive three hours of direct sunlight on 21 June. This was clearly predicated on the basis of shadowing from existing development to the north-east of this building and shadows from future development occurring to the east, including on the Iglu site. The original environmental assessment noted that 80% of the apartments in this building receive three hours of solar access during mid-winter, consistent with the Residential Flat Design Code (RFDC) 'rules of thumb', and subsequent modification statements all stated that the proposal continued to comply with the RFDC. In this context, the minor additional overshadowing to one apartment per level (8 apartments overshadowed in full, 1 partially shadowed) for the lower residential levels is considered to be acceptable.

The loss of less than one hour of sunlight for a small number of dwellings in the 7-9 Gibbons Street building between 9am and 3pm is considered to be acceptable given that:

- the extent of overshadowing is minor in nature, lasting for less than one hour between the 9am-3pm assessment period at the winter solstice;
- the protection of sunlight in highly urbanised, inner-city location of Redfern is difficult, particularly where the affected dwellings face into the centre of the block;
- affected dwellings face toward the rear of that property (into the centre of a street block) and currently receive sunlight only due to the substantial under-development of the neighbouring Regent Street properties;
- there can be no reasonable expectation that development on the Iglu site should not overshadow the 7-9 Gibbons Street building, since:
 - the built form proposed on the Iglu site is a product of the same planning controls that gave rise to the Gibbons Street building.
 - the expected overshadowing of east-facing dwellings was accounted for in the environmental assessment of the Gibbons Street building, which assumed that only west-facing dwellings in this building would receive solar access in accordance with the RFDC).
- the reduction in the Regent Street setback and consequent increase in the setback of the proposed building from the Site's western boundary has reduced the extent of overshadowing to the Gibbons Street building; and
- access to direct sunlight is only one aspect of overall residential amenity, and the proximity of these dwellings to open space, public transport, employment centres, services, educational establishments and leisure precincts means that the affected dwellings will continue to enjoy a high level of residential amenity.

In light of the above, the extent of proposed overshadowing is considered to be acceptable.

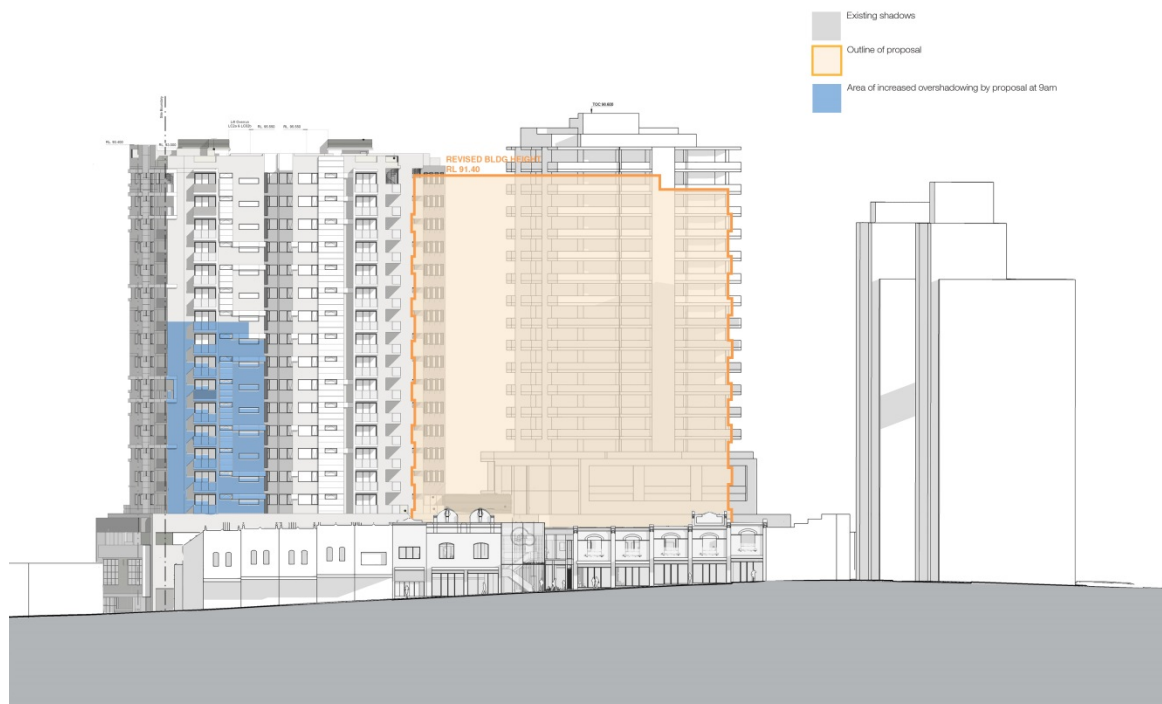


Figure 14 – Additional overshadowing cast at 9am on 21 June (winter solstice)
 Source: Bates Smart

4.3 Internal Student Amenity

The City of Sydney's submission discusses compliance with the local DCP provisions for student accommodation contained in Section 4.4.1 'Boarding houses and student accommodation' in the Sydney DCP 2012, particularly in relation to bedroom sizes and the provision of laundry facilities. These matters are discussed below.

4.3.1 Bedroom Sizes

The City of Sydney raised concerns in their submission regarding the compliance of cluster bedroom sizes with the provisions of Section 4.4.1 'Boarding houses and student accommodation' in the Sydney DCP 2012. The proposed 13.44m² cluster bedrooms are smaller than the 14.9m² minimum size set out for this type of room in Council's DCP. It is important to note, however, that as discussed in Section 5.1.9 of the EIS the quality of the internal bedroom space will be significantly higher than required under the DCP, with the Iglu operation a specific, purpose-built, designed and managed facility as opposed to a standard boarding housing which this DCP covers.

All units will be delivered in a modular system that has been purpose-designed to Iglu's standards which have been formulated specifically to address the living requirements of students. This includes the provision of fixed wardrobes, beds and study desks that have been purpose-built based on student feedback. By contrast, the DCP controls are generic and cover both student accommodation and boarding house residents, who have very different living requirements. The DCP controls do not specify requirements for provision furniture, and as a result they do not take into account the significantly greater efficiencies that can be delivered through innovative design. Iglu's purpose-designed bedrooms deliver a much higher quality

and more efficient living space than the DCP controls require, and therefore achieve the objective of delivering a high standard of internal amenity despite the numerical non-compliance.

Further to the above, the numerical departure from this spatial control needs to be considered in the context of other spatial controls under the DCP. As illustrated in **Table 4**, the proposed development significantly exceeds the total per-student areas required under the DCP for both indoor and outdoor areas.

The allocation of internal space within the proposed Iglu facility reflects a more nuanced approach to internal design that recognises that students have a number of unique needs and characteristics. Application of broad controls that equate student accommodation to boarding house residents do not achieve this. Iglu's proposed facility caters to a broader range of student needs. Private space is provided for students within well-designed bedrooms, with purpose built study desks, however, a range of more communal spaces are also provided reflecting the more social nature of student life. Communal spaces are provided for each cluster unit in addition to the larger area on Level 1.

The indoor communal space on Level 1 has a total area of 359m², significantly more than the 20m² which is required under the DCP, and caters to a range of uses including:

- lounge area;
- games room;
- media room;
- meeting rooms; and
- communal study area.

These facilities are consistent with the facilities that Iglu delivers at its other student accommodation facilities in Sydney and Brisbane, and provide a very high level of amenity for students. In addition, this indoor communal area directly connects to the outdoor terrace and courtyard, which have a combined area of 373m². This provides a spacious area for students to relax, socialise and enjoy a range of recreational activities that is well in excess of the requirement under the DCP.

In light of the above, it is considered that the proposed development readily achieves the overarching objective of providing a high-quality living space for future residents, despite the minor non-compliance with the internal bedroom size control in the DCP. The assessment of student amenity must be made in the context of the total living space available to students and the high quality of this space, not just in the context of a single generic numerical standard.

Table 4 – Summary of compliance with City of Sydney DCP internal area controls

Area	DCP Control	Provided	Complies
Bedroom (without kitchenette)	14.9m ² per person	13.44m ² per person	No
Kitchen Area	1.5m ² per person	3.5m ² per person (minimum) PLUS 0.97m ² per student	Yes
Communal Indoor Open Space	1.25m ² per person		
Communal Outdoor Open Space	20m ² total (no per person control – would equate to 0.05m ² per person)	1m ² per student	Yes
Total	17.70m² per person	18.91m² per person	Yes

4.3.2 Laundry Facilities

Council's submission states that *"the communal laundry proposes a total of 10 washing machines/dryers [1 per 37 students], which falls short of the 30 required by Sydney DCP 2012 [1 per 12 students]"*. This matter has been previously dealt with by the NSW Department of Planning & Environment on a number of State Significant Development student accommodation projects throughout the City of Sydney. In particular, we quote the following comments from the Department's assessment of a recent modification to the student accommodation development at Block 4S Central Park, Chippendale (SSD 5700-2012 MOD 1):

- *the provision of 26 washing and drying machines for 770 students is consistent with the previously approved ratio of 1:29.5;*
- *other student accommodation developments within the Central Park development operate successfully with laundry facilities at a ratio of 1:45 and 1:50;*
- *each machine is to be between 8-9 kg which exceeds the SDCP 2012 requirement of 5 kg; and*
- *the proposed machines to be installed are designed to ensure water efficiency, reduced waste and user wait times.*

Iglu is an established operator of student accommodation in Sydney and Australia, operating facilities in Chippendale, Chatswood and Brisbane. The proposed provision of washing machines at Regent Street is based directly on their day-to-day understanding of the needs of students. The imposition of a requirement for additional machines would result in an inefficient and uneconomic allocation of financial resources and of space within the proposed facility. In light of the above, we consider the proposed provision of 1 washing machine per 37 students to be acceptable.

4.4 Traffic and Parking

Traffic and parking issues were the second most prominent issue raised in public submissions, being mentioned in 95 of the 121 submissions. In addition, submissions by Transport for NSW, the City of Sydney Council, NSW Roads and Maritime Services and the NSW Police Force all raised matters relating to this issue in their submissions.

4.4.1 Car Parking

The absence of on-site car parking for staff or students was the primary issue raised in public submissions relating to the issue of traffic and parking. Residents of the local area were concerned about the impact of students utilising on-street car parking. However, the proposal to provide no on-site car parking is consistent with City of Sydney Council policies which are aimed at reducing inner-city congestion and promoting non-car modes of travel, as confirmed in Council's submission which states that:

No off-street car parking is proposed which is in line with the policy intent and provisions of the Sydney LEP 2012 and is supported given the highly accessible location of the site.

As outlined in the EIS, the location is highly accessible by public transport and walking and there are numerous car share vehicles available in the locality, thereby eliminating the need for car ownership.

4.4.2 Bicycle Parking

109 bicycle parking spaces are proposed within the student accommodation facility, which equates to 1 space per 3.4 students. The City of Sydney and Transport for NSW have both requested the provision of additional bicycle parking at the rate of 1 space per 2 students, which would equate to a total provision of 185 bicycle parking spaces. We believe that the rate proposed in the exhibited SSDA is acceptable (and above foreseeable demand) for the following reasons:

Consistent with recorded usage at Iglu's existing facilities

The bike parking provision recommended by Council and TfNSW is also well in excess of the actual demand for bike parking experienced at Iglu's two existing Sydney facilities. Surveys of bike usage at Iglu's two existing Sydney facilities were undertaken on two days during the evening when all bikes could be expected to be in storage. The results of these surveys are provided below:

- Iglu Chippendale
 - 23/10/2014: 3 bikes present, 98 students present, **1 per 33 occupants**
 - 18/02/2015: 3 bikes present, 98 students present, **1 per 33 occupants**
- Iglu Chatswood
 - 23/10/2014: 7 bikes present, 260 students present, **1 per 37 occupants**
 - 18/02/2015: 6 bikes present, 292 students present, **1 per 48 occupants**

It is evident that the rate of 1 space per 2 occupants suggested by Council and TfNSW is significantly higher than actual demand for these facilities by students utilising student accommodation.

Consistent with other approved student accommodation

The rate proposed by Council and TfNSW is significantly higher than the rate required in recent student housing approvals within the City of Sydney, as illustrated in **Table #** below.

Table 5 – Summary of approved bike parking rates at other student accommodation

Proponent	Project	DA Reference	Bicycle parking per student
Iglu	Regent St, Chippendale	D/2011/515	1 per 3.1 beds
Urbanest	175 Cleveland St, Redfern	SSD 14_6371	1 per 5 beds
Urbanest	157 Cleveland St, Redfern	SSD 4949-2011	1 per 3.4 beds
Urbanest	83 Quay St, Haymarket	D/2008/2103	1 per 2.7 beds
Urbanest	City Rd, Camperdown	D/2012/1658	1 per 2.7 beds
Urbanest	Wattle St, Glebe	D/2012/864	1 per 7.7 beds
UTS	Peter Johnson Building, Harris St, Ultimo	MP 09_0021	1 per 10.2 beds
Iglu	Albert Ave, Chatswood		1 per 4.9 beds
Iglu	Mary Street, Brisbane		1 per 6.1 beds
Iglu	Regent Street, Redfern	SSD 14_6724	1 per 3.4 student proposed

Different lifestyle characteristics of students compared to suggested residential and boarding house rates

There are a number of reasons for the discrepancy between the Council/TfNSW suggested rate, which are based on a compromise between the rates for residential apartments and boarding houses, and the actual utilisation rates for Iglu's existing facilities. The reason for these differences is a product of the different lifestyle characteristics summarised below:

- As student accommodation is not a long-term (post-study) accommodation solution, students are less likely to accumulate bulky possessions that would

need to be transported once they move out. This is particularly the case when many of the students intend to return to their previous place of residence outside of Sydney after the completion of their studies.

- Unlike residents of apartments or boarding houses, students typically have another place of residence outside of Sydney, whether it be in regional NSW, inter-state or overseas. Students will travel regularly throughout the year between their accommodation in Sydney and their other place of residence, making the transport of bicycles difficult. Given that the teaching semester comprises only half of the year, many student spend considerably more time at their primary residences, reducing the benefit of keeping a bike in Sydney.
- Students are often on more restricted budgets than apartment-dwellers, and the cost of bike ownership is unlikely to be taken on when cheaper modes such as walking can be utilised instead.
- Students would be more likely to share bikes as a result of the communal nature of student accommodation compared to separate residential flat buildings.
- Tertiary education students can purchase discounted public transport fares that increase the price advantage of using public transport over bike ownership.
- As noted in TfNSW's submission, students are generally more mobile and active than the general population. As such, it can reasonably be expected that students will be willing to walk further distances before they consider alternative modes of travel that are better suited to longer distances such as bicycles. As noted in the following section, all key destinations in the locality are within walking distance, especially for a more mobile student population.

High level of accessibility by walking and/or public transport

As noted in the EIS, the Site is located in close proximity to a number of key education, transport, retail and leisure destinations, including:

- 120m to Redfern Station (average 0.1% gradient)
- 800m from site to Shepherd St entrance to USYD (average gradient of 1.1%)
- 1,200m from site to UTS (average gradient of 1.7%)
- 500m to Prince Alfred Park (average gradient of 0.3%)
- 1,400m to Broadway Shopping Centre (average gradient of 1.2%)

All of these destinations are within walking distance for an average student, and the time saved by cycling these distances would hardly be offset by the time involved in retrieving and securing the bicycle at the origin/destination. As such, it is expected that the vast majority of local trips will be made by walking and/or public transport. The availability of high-frequency train and bus services from Redfern Station, which is virtually adjacent to the Site, makes public transport a faster and more convenient travel mode for journeys further than walking distance.

Continues to fulfil strategic objectives

We recognise that TfNSW and Council are acting in support of strategic objectives to promote cycling, however, these objectives need to be pursued in context and with regard to the reality of bike utilisation by this student population. **The proposed provision of 109 spaces (1 space per 3.4 occupants) will still provide parking at a rate that is more than 10 times the actual demand at Iglu's Chippendale facility.** The proposed provision is therefore entirely consistent with the Council and TfNSW's objective of supporting increased bicycle ownership and utilisation.

Spatial requirements for additional parking

Spatial constraints on the ground plane mean that should the additional bicycle parking provision be required to be provided in accordance with the TfNSW/Council rates, this will likely result in a reduction in the floorspace currently allocated within the ground floor plane for the community facility/dance studio. Given that, in our view, the additional bike parking requested by Council and TfNSW will be surplus to demand, the positive impacts of retaining this space for community use should not be compromised.

Summary

In light of the above, we believe that the proposed bicycle parking will meet demand now and into the future, and satisfies the strategic objectives of increased bicycle ownership and utilisation in the City of Sydney. Providing additional parking will not further progress the attainment of these objectives and would be inconsistent with the standard applied for other student accommodation developments within the area. Furthermore, providing additional bike parking would impact upon the community benefits and services provided by other components of the proposed development, such as the dance studio.

4.4.3 Loading Dock Operations

The City of Sydney has recommended that a Loading Dock Management Plan be prepared to “ensure the efficient operation of the dock and that maximum vehicle size limits are observed”. A small number of public submissions also raised the need to manage operations of this dock to avoid potential conflict with other vehicles using William Lane.

The requirement for a Loading Dock Management Plan can be imposed as a condition of development consent, and is included in the Final Mitigation Measures included at **Section 5.0** of this report.

4.4.4 Construction Zones

The Roads and Maritime Services submission states that a construction zone should not be permitted directly in front of the Site on Regent Street. Given that the roadway located immediately adjacent to the Site is a parking lane that predominately services the existing retail tenancies operating on the Site (which will be removed during the development phase), and that this lane is not subject to a clearway restriction, the RMS’ objection to a construction zone is not considered to be warranted. Parking spaces utilised for the construction zone would be the equivalent of the reduction in demand for on-street parking associated with the closure of the existing tenancies on the Iglu site. Whilst it is the development objective to facilitate the early construction of the William Lane loading dock and facilitate deliveries via this laneway, a construction zone will still be required on Regent Street throughout the works period to cater to larger vehicles to avoid William Lane being blocked by construction traffic to minimise disruption to vehicles accessing the 157 Redfern Street basement.

4.5 Design Matters

4.5.1 Laneway

The Redfern Local Area Command of the NSW Police Force has requested that the pedestrian connection through to William Lane be removed. Given that William Lane is predominately a service lane, and is not expected to be a major pedestrian desire-line, Iglu have agreed to this request and this is reflected in the design amendments detailed in **Section 2.0**. As discussed in **Section 2.1.1**, this application also no longer seeks consent for the through-site connection through to Redfern Street. As a result, the interior of the site will only be accessible from the main Regent Street entrance.

Access to the internal laneway will continue to be open to the public operational hours (6am to midnight) to provide access to the dance studio, Iglu lobby and retail tenancies as outlined in Section 3.5.1 of the EIS. As outlined in the Operations Plan exhibited with the EIS, the on-site manager will be responsible for ensuring that gates are opened and closed at 6am and midnight respectively, and this area will be subject to 24-hour, monitored CCTV surveillance.

Emergency egress from the laneway will continue to be provided in accordance with the relevant fire and safety standards. The gates to Regent Street will provide unrestricted outward opening, and emergency egress will also be provided to William Lane via the dance studio lobby and to Redfern Street via a gate in the new fence to the adjoining deceased estate.

4.5.2 Services Location

City of Sydney Council's submissions questioned whether an alternate location could be found for the fire control panel and gas meter addressing Regent Street in order to provide an improved design outcome. This was investigated as part of preliminary planning, however, the location of these services is required to satisfy the emergency access and control requirements of Fire & Rescue NSW and is unable to be altered.

4.6 Need for Student Accommodation, Social Issues and Property Prices

A number of submissions raised matters that are not considered to be key planning matters.

77 submissions questioned the need to provide student housing in this location. As identified in Section 1.4 of the EIS, there is a well-established need to provide additional student accommodation to support the growth of Sydney's tertiary education sector. Since the release of the EIS, we note that the Minister for Planning has announced the approval of the University of Sydney's \$1.4 billion Campus Improvement Program. This program will cater for around 10,000 extra students. Relevantly, the Minister's press release (dated 27 February 2015) states that *"the approval means the university can play a major role in providing the world-class education facilities that are essential to the competitive Sydney of the future that our metropolitan growth plan envisages"*.

38 submissions raised concern regarding the social impacts of accommodating students in the Redfern centre, with submissions raising concerns about a shift away from a 'family community' and raising concerns about the leisure activities of students. Catering to the housing needs of a diverse range of people is a fundamental objective of the NSW planning system, and planning should not discriminate between different typologies of housing. The social issues raised in submissions largely relate to the personal activities of individuals, are not considered to be fair reflections of student behaviour, are not distinguishable from students residing in other forms of residential accommodation, and are not related to the operation or management of the proposed Iglu facility.

General negative impacts on property value were raised in 68 submissions, however, this is not a relevant planning matter.

4.7 Other Matters

4.7.1 Wind Impacts

Iglu have commissioned Windtech to undertake wind tunnel modelling for the proposed development (with amendments described in **Section 2.0**). The results of this modelling are expected to be provided by the end of March 2015 and will be forwarded to the Department as soon as available.

4.7.2 Noise Impacts

A small number of submissions raised concerns regarding the impacts of operational noise on the amenity of surrounding residences due to the use of outdoor communal areas. The impact of these uses was assessed in the acoustic report prepared by Acoustic Logic and exhibited with the EIS, which concluded that the proposed use of these areas would comply with the applicable noise standards. The use of outdoor areas by students is restricted to between the hours of 7am and 10pm in order to further minimise the potential noise impacts resulting from the use of these areas.

The EIS made mention of the potential for Iglu to formally host larger events for its students in the outdoor terrace area to promote social interaction, above what had been assessed in the acoustic report submitted with the EIS. This SSDA no longer seeks consent for these larger events, and the final mitigation measures contained in **Section 5.0** have been updated accordingly.

4.7.3 Contamination

The City of Sydney Council's submission recommends that either a Detailed Environmental Site Investigation or a letter of Interim Advice from an NSW EPA Accredited Site Auditor be provided to confirm that the site is or can be made suitable for the proposed use. Due to the fact that the Site is currently fully developed, the preparation of a Detailed Environmental Site Investigation is more appropriately carried out during the site preparation and demolition phase of the development. In accordance with Council's request a letter of Interim Advice from James Davis, EPA Accredited Site Auditor at Enviroview Pty Ltd, has therefore been prepared for the Site and is provided at **Attachment E**. This letter confirms that the Site can be made suitable for the proposed use, in accordance with the requirements of State Environmental Planning Policy No. 55 – Remediation of Land.

4.7.4 Heritage

The NSW Heritage Office's submission made a number of recommendations regarding further archaeological investigations to be undertaken that can be imposed as standard conditions of development consent.

City of Sydney Council's submission notes that the visual impact of the proposed development from the eastern parts of Redfern will be similar to that of the existing adjoining buildings. Council's submission states that there may be some minor impacts on the setting of the heritage conservation area to the east of Regent Street, particularly around Cope Street. Council's submission acknowledges the design constraints that have resulted in the reduced Regent Street setback, and suggests that best conservation practice should be used for the existing Regent Street buildings to be retained, rather than just the retention of the facades. This is not supported, given that:

- the existing terrace buildings on the Site are not heritage items or within a heritage conservation area;
- the Urban Design Guidelines for the Redfern Centre envisage this street frontage being entirely replaced, and thus the proposed façade retention is

considered to already be a significant positive contribution to the preservation of the historic streetscape;

- the full internal conservation of these buildings would significantly compromise the ability to provide modern and activated retail tenancies at the ground plane as well as the Level 1 communal areas for the student accommodation; and
- full internal conservation would provide no additional benefit to the views toward the Site from the adjoining heritage conservation area, and thus are unnecessary.

4.7.5 Development Contributions Framework

UrbanGrowth's submission stated that the Affordable Housing Contribution is applicable to the proposed development. UrbanGrowth's submission and subsequent correspondence states that this contribution can be made via either a cash payment to UrbanGrowth or through the contribution/dedication of affordable housing equating to 1.25% of the proposed GFA. In order to allow Iglu to progress discussions with UrbanGrowth around the opportunity of providing affordable student accommodation consistent with the contributions framework, in lieu of the cash contribution, it is recommended that the Department impose a flexible condition that allows an agreement to be reached with UrbanGrowth about the form of this contribution. This condition should give the Secretary of the Department the ability to confirm that the alternate agreed outcome satisfies the requirement of the condition.

5.0 Final Mitigation Measures

Mitigation Measures

Construction Management and Construction Traffic Management

A Construction Environmental Management Plan is to be prepared prior to the commencement of works on the site, which shall be generally consistent with the principles identified in the Construction and Traffic Management Plan prepared by Iglu dated 20 November 2014.

Safety

The recommendations of the Crime Prevention Through Environment Design Assessment prepared by JBA dated November 2014 shall be implemented through the detailed design and operation of the site.

Operations

The Operations Plan prepared by Iglu (**Appendix G** of EIS) will form the basis for future management of the site, particularly in relation to the management of the public laneway and use of outdoor communal areas.

Acoustic Impacts

- Iglu staff will monitor usage of the outdoor terrace to limit the number of persons using this space at any one time to 100 persons. Iglu hosted events may occasionally exceed 100 persons.
- Amplified music or PA systems will not be used in outdoor areas.
- Access to the outdoor terrace and courtyard will be generally restricted to between 7am and 10pm, which will be enforced by access control to these areas and monitoring by Iglu staff.
- ~~Events hosted by Iglu staff on this outdoor terrace may occasionally (less than a dozen times per year) extend beyond the 10pm closing time.~~
- Standard acoustic treatment will be provided to all plant areas to achieve compliance in accordance with the NSW Industrial Noise Policy

Wind Impacts

The recommendations of the Wind Tunnel Testing Report prepared by Windtech should be implemented prior to the issue of a Construction Certificate.

- ~~Wind tunnel testing must be undertaken following detailed design, and the pedestrian wind environment demonstrated to be acceptable prior to the issue of a Construction Certificate. Specifically, the following design measures must be considered as part of this testing:~~
 - ~~Connection of the proposed awnings along Regent Street for between half and two-thirds of the proposed awning depth and along the full length of the retail frontage, student accommodation lobby and through site link entrance.~~
 - ~~Installation of a full height screen to the eastern entrance to the through-site link from Regent Street, connecting to the building façade and the extended awning.~~
 - ~~Consideration of additional screening for the northern aspect of the Level 1 terrace.~~

Reflectivity

All exterior facade elements will have a reflectivity coefficient of 20% or less in accordance with the requirements of the Sydney DCP 2012

Traffic and Access

Prior to the issue of an Occupation Certificate, a Workplace Travel Plan and Travel Access Guide will be prepared for distribution to new students, staff and visitors to the site.

Waste Management

Waste facilities will be provided in accordance with the Waste Management Plan prepared by Iglu (**Appendix H** of EIS).

6.0 Conclusion

Following on from the feedback received from the relevant government agencies and the general public, Iglu have responded to the issues raised and have made minor design amendments to the proposed development.

The proposed development will provide student accommodation necessary to support Sydney's position and growth as a world-leading education provider, and ensure that students from regional NSW, inter-state and overseas are able to access Sydney's leading tertiary education providers.

This report supplements the Environmental Impact Statement prepared by JBA dated December 2014. Given the justification for the proposal, its fulfilment of strategic and design excellence objectives and the satisfactory resolution of potential environmental impacts, we have no hesitation in recommending the application for approval.