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16 April 2015

File No: R/2014/35/B
Our Ref: 2015/155151
Your Ref: SSD 14_6724

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NSW Planning and Environment
GPO Box 39
Sydney NSW 2001

Attention: Simon Truong
Email: simon.truong@planning.nsw.gov.au

Dear Simon,

RE: Mixed Use Student Accommodation Development at 60-78 Regent Street, Redfern, SSD 14_6724

I write in relation to the Department's email dated 19 March 2015 which referred to Response to Submissions regarding State Significant Development Application SSD 14_6724. This proposal is for a new mixed use student accommodation development at 60-78 Regent Street, Redfern.

Please find attached a table summarising the City's review of the Response to Submissions. The table nominates the issues raised within the City's original submission, discusses the Proponent's response to the issues raised and outlines the City's sustained contention in relation to the project.

Should the Department grant approval to the application, the City recommends a list of conditions for consideration (as attached to our original submission).

Should you wish to speak with a Council officer about the above, please contact Natasha Ridler, Senior Planner, on 9246 7720 or at nridler@cityofsydney.nsw.gov.au.

Yours sincerely,

Graham Jahn AM
Director
City Planning | Development | Transport

city of villages

Reconciliation of Issues

Issue	Applicant Response	Issue Addressed?	City's Contention
General Amenity			
The Residential Flat Design Code (RFDC) requires a separation of 24m between the proposed building and existing residential flat development located to the west at 157 Redfern Street. A maximum separation of 13.75m is provided. While attempts have been made to increase this separation where possible, including reducing the building setback to Regent Street and design of a narrow tower floor plate, the opportunity for direct overlooking between these buildings remains. Consideration should be made to the provision of screening to prevent overlooking.	<p>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 degrees to face away from the closest dwellings in the Redfern RSL site.</p> <p>Operable window blinds will be installed to all west-facing bedrooms that allow students to completely block the window from ceiling to floor level.</p> <p>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.</p>	Acceptable	Addressed considering site constraints and additional design measures to mitigate privacy concerns.
Sections provided show floor-to-floor heights of 2.9m. A floor-to-ceiling height of 2.7m requires a minimum floor to floor height of approximately 3.1m. It is noted that the current design precludes future potential conversion of the building to a residential flat building.	The proposal has been amended to show 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	Yes	N/A

	Development SEPP, and the overall building height continues to be lower than the two neighbouring residential flat buildings.		
Sydney DCP 2012 requires a minimum total room size of 14.9m ² . The proposed bedrooms within the cluster apartments fall short of the required area by 1.46m ² , or 9.8%. The City recommends compliance with the minimum room size requirement.	<p>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.</p> <p>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. 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.</p> <p>The numerical departure from this spatial control needs to be considered in the context of other spatial controls under the DCP. 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.</p> <p>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</p>	Partial	<p>The City notes the applicant's response regarding the functionality of the bedrooms and combined bedroom/living/communal space provided per student.</p> <p>When assessing this requirement, the Department should consider whether the proposed size, design and layout of the bedrooms are acceptable.</p>

	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.		
The communal laundry proposes a total of 10 washing machines/dryers, which falls short of the 30 required by Sydney DCP 2012. The City recommends compliance with the DCP laundry facility requirements, including number of washing machines, washing tubs and clothing lines.	Iglu is an established operator of student accommodation. The proposed provision of washing machines 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.	Partial	<p>The City prefers compliance with the DCP control for laundry facilities.</p> <p>When assessing this requirement, the Department should consider whether the proposed laundry facilities are acceptable.</p>
Internal common corridors on Levels 2 to 17 are between 1.1m and 1.3m in width, with areas in front of lifts being approximately 1.8m. Natural light is not provided at the northern end of the corridor. Common corridors should be designed to provide a feeling of spaciousness and have access to daylight.	The proposal includes natural light to the southern end of the internal corridors adjacent to the lift entrances. This is considered acceptable given that this area will be the most utilised area of the corridor, and that adequate internal lighting will be provided along the length of the corridor.	No	<p>The current proposal provides limited amenity. However it is acknowledged that addressing these concerns would likely require amendments to room layouts and/or room numbers.</p> <p>Notwithstanding the above, the applicant's response does not state whether design changes were investigated that would address these concerns.</p> <p>When assessing this requirement, the Department should consider the opportunities that exist to accommodate natural light to the northern end of the corridor and increase corridor widths.</p>

It is noted that no private open space has been provided for the student accommodation, however given the location of the site on Regent Street and the communal open space provided, this is considered acceptable.	Noted.	N/A	N/A
It is noted that no deep soil zone is provided on site. Given the constraints of the site, its urban location and the positioning of the common space on the Level 1 podium, this is considered to be acceptable. An appropriate landscape management plan should be put in place to ensure the ongoing maintenance of soft landscaping on the Level 1 common open space.	Noted, the requirement for a landscape management plan can be conditioned as a requirement to be satisfied prior to the issue of an Occupation Certificate.	Yes	The City recommends an appropriate condition be included to address this requirement.
The location of the fire hydrant and gas meter on the Regent Street elevation at the south eastern corner of the site is not supported. Services, plant and equipment hatches should be minimised along active frontages.	This was investigated as part of the 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.	Partial	On the basis that these services cannot be relocated (the Department should confirm this with Ausgrid), it is recommended that this section of the elevation be treated with appropriate finishes or screening that will improve the appearance of the streetscape while maintaining the function of the services. The City recommends an appropriate condition be included requiring design details that demonstrate how this portion of the street elevation will be more successfully resolved.
Laneway/Through-site Link			

<p>Active uses are encouraged along the laneway to promote pedestrian use. Lighting appropriate to the scale of the space as well as signage should be designed to allow easy identification by users. Detailed design of the laneway will need to consider design elements which clearly delineate between public and private spaces especially in the loading dock area.</p>	<p>This small parcel of land is not in public ownership, but is in fact owned by a deceased estate from the mid-1850s. 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.</p> <p>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. The ground floor tenancies have been designed to accommodate the adaption for active uses to the rear (western) property boundary should ownership of and access over this land be resolved in the future.</p>	<p>Partial</p>	<p>It is understood that Iglu is in the process of acquiring the subject portion of land. The City strongly supports the acquisition of land by Iglu and retention of the original design in order to activate the laneway. To this end the City has confirmed in writing it has no desire to take ownership of the subject land.</p> <p>Should the land acquisition be successful, our comments relating to provision of adequate lighting and signage can be dealt with by way of conditions of consent.</p> <p>The comments raised are still applicable to the treatment of William Lane and the loading dock area and appropriate conditions should be included to address these requirements.</p>
<p>The application requires additional detail regarding ownership and operation, particularly how the closure from midnight to 6am will work, as well as the type of security gate to be installed and access arrangements after hours. Emergency egress during closure should also be considered, particularly with regard to the fire stairs.</p>	<p>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. The Operations Plan states that 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.</p> <p>Emergency egress from the laneway will continue to be provided in accordance with the relevant fire</p>	<p>Yes</p>	<p>N/A</p>

	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.		
Heritage and Façade Treatment			
<p>The visual impact of the building and impact on the adjoining heritage conservation area to the north, east and south will largely be similar to that of existing views to the adjacent multi-storey buildings including the residential towers at 7-9 Gibbons Street, 157 Regent Street and the twin towers at 1 Lawson Square.</p> <p>There will however, be a greater visual impact on the setting and appreciation of a small portion of the heritage conservation area located adjacent to the subject site including the western end of Redfern Street and a group of buildings in Cope Street. This impact is compounded by the minimal 3m setback of the tower from the Regent Street boundary, and preservation of essentially only street façades of existing buildings fronting Regent Street. This impact is somewhat mitigated by the quality of the adjacent heritage conservation area streetscape, which presents diminished integrity of some existing early 20th century buildings and two intrusive late 20th century buildings in Cope Street.</p> <p>It would be desirable from a heritage and streetscape position to increase the setback of the tower to 8m from Regent Street, as prescribed by</p>	<p>It is important to note that the existing buildings within the Site are not themselves heritage-listed or within a heritage conservation area. Under the relevant planning controls, these shopfronts may be completely removed and replaced with modern tenancies, as has occurred elsewhere on this block. The design solution, which involves the retention and restoration of these shopfronts, is considered to be a far superior outcome in terms of the overall contribution made to the continued history of the streetscape and the relationship with the adjoining heritage conservation area. It is further noted that the retention in full of these buildings would significantly impact on the functionality of both the ground plane and upper levels of the proposed development, and would significantly impact upon internal functioning and amenity.</p>	Yes	<p>It is acknowledged that the provision of adequate building separation to the adjoining buildings to the west needs to be balanced against the provision of an increased setback to Regent Street. Furthermore, the City agrees that there is benefit in retaining the original building façades. As such, a reduced front setback is considered to be acceptable, on the basis that the original buildings are to be partly retained and conserved.</p>

<p>the planning controls, to provide a greater buffer to the adjoining heritage conservation area. The streetscape would also be improved if the existing buildings fronting 60-78 Regent Street were refurbished in accordance with best conservation practice, rather than the retention of street facades only.</p> <p>However, it is acknowledged that the constraints of the site and desire to provide separation between the proposed building and the adjoining buildings to the west present limitations to providing an increased setback to Regent Street.</p>			
Safety and Security			
<p>The application includes comprehensive CPTED and Operations reports which detail a number of issues including natural surveillance from the building to the neighbouring streets; the use of CCTV; swipe card / intercom access both into, inside and out of the building; appropriate locks; amenities to enhance the social environment; internal access to mailboxes; a 24 hour staff presence; staff training in dealing with unpredictable behaviour and proposed training from local police on local safety issues.</p>	Noted.	N/A	N/A

The design of internal spaces, particularly communal areas, should ensure open sightlines and unobstructed access throughout the facility to allow staff and users to see and be seen in the normal course of their activities. The use of recessed areas which could be potential entrapment spots or places of concealment should be avoided.	Noted, this has been considered in the design of the proposed communal areas. In addition, communal areas will be supervised by on-site staff and monitored CCTV systems.	N/A	N/A
The design should incorporate robust materials which are in character with the building, easily maintained and which minimise opportunities for vandalism.	Noted, this has been considered in the design to date and will be reflected in detailed design and material selection.	N/A	N/A
The proponent is encouraged to seek agreement with Redfern Police regarding any exchange of CCTV footage.	Noted, the proponent will continue to liaise with the Redfern Police LAC and will put in place processes for exchange of CCTV footage prior to occupation.	N/A	N/A
Transport and Access			
<p><u>Bike parking</u></p> <p>A total of 109 bike parking spaces are proposed for the site, which is considerably low given the site will cater to the demand from students at the University of Sydney, within easy cycling distance and that the City and Transport for NSW are progressing the implementation of the planned Regional Cycle Network along Lawson Square and Redfern Street just to the north. The provision of adequate cycling facilities will help encourage bicycle mode share.</p> <p>It is recommended that a rate of 1 bicycle parking space per 2 beds is adopted. Based on the</p>	<p>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.</p> <p>The rate proposed by Council and TfNSW is significantly higher than the rate required in recent student housing approvals within the City of Sydney.</p> <p>As student accommodation is not a long-term accommodation solution, students are less likely to accumulate bulky possessions that would need to be transported once they move out. This is</p>	No	<p>The City is committed to making cycling an equal first choice transport mode along with walking and using public transport. In order to achieve this, cyclists should have access to secure bicycle parking and end of trip facilities.</p> <p>The reliance on historic or even current-day bike parking usage surveys at other Iglu buildings does not consider growth in bike usage, cycle connection</p>

<p>proposed room configuration there are 370 beds which equates to 185 bicycle parking spaces.</p> <p>A separate facility, including shower and change facilities, should also be provided to support the retail component of the development.</p>	<p>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.</p> <p>Unlike residents of apartments or boarding houses, students typically have another place of residence outside of Sydney. 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 students spend considerably more time at their primary residences, reducing the benefit of keeping a bike in Sydney.</p> <p>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.</p> <p>Students would be more likely to share bikes as a result of the communal nature of student accommodation compared to separate residential flat buildings.</p> <p>Students can purchase discounted public transport fares that increase the price advantage of using public transport over bike ownership.</p>		<p>construction and the location of this site on a regional bike network.</p> <p>The City is currently reviewing DCP bicycle parking rates with the view to increase bicycle parking for student accommodation to 1 space per 2 students. These rates provide the basis for our original response.</p> <p>The City has reviewed the plans and believes opportunities exist for additional bicycle parking. Provision of additional spaces in excess of the 108 proposed, and up to 185 spaces is recommended, as per our original submission.</p> <p>It is noted that no comment has been provided in response to the provision of end of trip facilities for the retail component. The provision of these facilities is still recommended.</p>
<p><u>Car parking / servicing</u></p> <p>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.</p>	<p>Noted.</p>	<p>N/A</p>	<p>N/A</p>

<p>A service vehicle bay is proposed to the rear of the site, accessed via William Lane. The proposed bay is capable of accommodating either two vans or a large vehicle approximately 9.8m long. Swept paths provided in the traffic report demonstrate that a large vehicle can adequately access the site. A Loading Dock Management Plan should be prepared by the Proponent to ensure the efficient operation of the dock and that maximum vehicle size limits are observed.</p>	<p>Noted, the preparation of a Loading Dock Management Plan can be required as a condition to be satisfied prior to the issue of an Occupation Certificate.</p>	<p>Yes</p>	<p>The City recommends an appropriate condition be included to address this requirement.</p>
<p>Public Domain Works and Lighting</p>			
<p>The narrow concrete pavement along Williams Lane is currently in poor condition. There are also multiple redundant driveways on William Lane which will require removal and replacement with kerb, gutter and footpath.</p> <p>A Public Domain Plan for the site has been submitted, but has not been agreed to by the City. A full public domain plan is required to be submitted to the City prior to the issue of a construction certificate. A lighting plan is also required for the through-site links and under awnings.</p>	<p>This item is not discussed within the Response to Agency and Key Stakeholder table or the Response to Submissions Report.</p>	<p>No</p>	<p>The City recommends an appropriate condition be included to address this requirement.</p>

Stormwater			
The proposal requires new stormwater infrastructure to be constructed within William Lane and Marian Street to connect into the City's existing stormwater network in Marian Street at the intersection of Gibbons Street. Downstream connection details are required to be submitted to the City prior to the issue of a construction certificate, including existing pit invert levels. On-site detention is also required to be provided on the site.	Noted.	N/A	The City recommends an appropriate condition be included to address this requirement.
Contamination and Asbestos			
<p>The Phase I Environmental Site Assessment indicates the potential for contamination. Specifically, the report identifies a dry cleaner as a previous possible use, which is a possible source of contaminants due to the use of chlorinated solvents associated with dry cleaning services. The storage and use of these chemicals by the dry cleaning business were not confirmed. The report recommends a Phase II Detailed Site Investigation with the sampling of soils and additional analysis for VOC's.</p> <p>The proposal is considered unsatisfactory with regard to contamination. It is recommended that a Detailed Environmental Site Investigation be carried in line with NSW guidelines, certifying that the site is suitable (or will be suitable, after remediation) for the proposed use. Alternatively, a letter of Interim Advice from an NSW EPA</p>	A Letter of Interim Advice has been provided by James Davis of Enviroview, who is an EPA accredited site auditor. The requirement for the preparation of a Hazardous Materials Assessment (prior to demolition) and a Phase II Detailed Site Investigation (prior to ground disturbance) can be required as a condition of consent.	Yes	The City recommends appropriate conditions be included to address these requirements.

<p>Accredited Site Auditor advising the site is suitable for the proposed use or capable of being made suitable for the proposed use following remediation should be obtained.</p> <p>A hazardous materials assessment was not commissioned as part of this investigation. Due to the apparent age of the building there is potential for PCB's, lead paint or asbestos to be present and prior to any demolition a Hazardous Materials Assessment may be warranted.</p>			
Noise			
<p><u>Acoustic privacy</u></p> <p>The acoustic assessment indicates that the internal noise criteria will not be achievable with the windows open. Therefore, mechanical ventilation or air conditioning is required to be provided to all units, and must comply with the relevant Australian Standards.</p>	Mechanical ventilation is proposed for all units.	Yes	The City recommends an appropriate condition be included to address this requirement.
<p><u>Operational noise</u></p> <p>The cumulative noise from use of the building should comply with the City's operational noise conditions. However, it is noted that the Operations Management Plan indicates that the outdoor terrace area will have the ability to hold special events 12 times a year.</p> <p>Section 6.4.2.1 of the acoustic assessment notes that the outdoor area is not to be used for loud functions incorporating amplified music. The Proponent should clarify their intentions in regards</p>	The application no longer seeks consent for these events.	Yes	The City recommends an appropriate condition be included to manage the use of the outdoor terrace in line with the acoustic assessment.

to the use of the terrace and carry out an assessment of the impacts if functions are likely to produce potential adverse noise impacts.			
<u>Demolition, Excavation, Construction Noise Management Plan</u> The acoustic assessment does not include a detailed construction noise assessment due to the lack of a construction programme, and recommends that the detailed assessment be undertaken at the construction certificate stage.	Noted, this can be required as a condition of consent.	Yes	The City recommends an appropriate condition be included to address this requirement.