

29 April 2016

Department of Planning and Environment  
GPO Box 39  
SYDNEY NSW 2000

**Attention:** Amy Watson

**NOS. 80 – 88 REGENT STREET, REDFERN  
PROPOSED MIXED USE REDEVELOPMENT (SSD 7080)**

Dear Amy,

We have reviewed exhibited materials relating to the abovementioned application and make this submission on behalf of the proponent for the potential future redevelopment of Lots 1 – 3 DP 3954 and Lot 1 DP 184335, Nos. 90 – 96 Regent Street, Redfern.

We wish to make clear that we do not object to development of the site per se, but do object to any component of the proposal that may prejudice the development of Nos. 90 – 96 Regent Street, or compromise its potential, as a result of any variation to the Draft Urban Design Guidelines (Redfern Centre), or inconsistency with the building envelope controls or design criteria espoused by the Apartment Design Guide.

The following concerns are raised on the proponent's behalf and are requested to be addressed as part of the development assessment process.

**Road Widening**

- The design excellence principles included in the Draft Urban Design Guidelines (Redfern Centre), prepared in accordance with Clause 22(4) of Part 5 of Schedule 3 of State Environmental Planning Policy (State Significant Precincts) 2005, prescribe that a 1.5 metre setback be provided to Marian Street to enable footpath widening.
- A 0.8 metre setback to William Lane (eastern side) is also prescribed to enable footpath widening.
- The Guidelines suggest the massing of new development will create a consistent street edge.
- Determination of the application for development of Nos. 80 – 88 Regent Street will clearly influence the outcome of development upon Nos. 90 – 96 Regent Street. The determination of this proposal will clearly establish an appropriate precedent for definition of the street edge and public domain improvements required for both Marian Street and William Lane.

**Building Separation**

- Marian Street is 12 metres wide.
- The Guidelines prescribe a minimum 4 metre setback for the tower element above Marian Street.
- The building envelope requirements of the Apartment Design Guide (ADG) recommend that buildings in excess of 9 storeys should be separated by 24 metres between habitable rooms.
- The ADG advocates that where applying separation requirements to buildings on adjoining sites, half the minimum separation distance measured to the boundary should be applied to each site.
- As habitable rooms are proposed on the southern elevation of the subject development, a minimum 6 metre setback would ordinarily be required to apartments to ensure equitable separation between the north facing habitable rooms of any future development on the proponent's site, accounting for the separation provided by Marian Street's road width.

- It is noted that the completed development at Nos. 7 – 9 Gibbons Street has habitable rooms setback 4 metre from the original Marian Street alignment, consistent with the requirements of the Guidelines.
- Balconies and habitable rooms of the proposed development are currently within the 4 metre Marian Street setbacks prescribed by the Guidelines, and within the recommended separation distances espoused by the ADG.
- The reduced setbacks will compromise privacy and solar access for future development of Nos. 90 – 96 Regent Street.
- It is suggested the 4 metre setback above the podium level to Marian Street should be strictly enforced.

#### Building Setback

- The Guidelines prescribe an 8 metre setback for the tower element above Regent Street.
- It is noted the proposed development is setback between 0 – 3 metres.
- It is noted the approved alignment of development at Nos. 60 – 78 Regent Street ranges between 3 – 4.5 metres and that the proposed development is generally consistent with these setbacks.
- It would be expected that for the purpose of creating a consistent street edge, that any setback supported for this development would be applied as an appropriate precedent to any future development of Nos. 90 – 96 Regent Street.

#### Solar Access

- It is suggested that 70% of apartments within the proposed development achieve 2 hours of direct sunlight between 9am and 3pm at mid winter, and that a maximum of 15% of apartments receive no direct sunlight between 9am and 3pm at mid winter (SJB Planning Environmental Impact Statement).
- In areas undergoing change, the impact on what is likely to be built on adjoining sites should be considered as well as the existing development.
- Our own analysis of the building's envelope, taking into account the approved development at Nos. 60 – 78 Regent Street, would suggest these contentions may be inaccurate.
- It is however acknowledged that the ease with which sunlight access can be achieved is inversely proportional to the density of development. ADG requirements may as a consequence not be satisfied by each of the proposed developments within this high density precinct, owing also to the alignment of sites with frontage to Regent Street being oriented to the south and west.
- Whilst the controls envisage an 18 storey building upon this site, owing to proposed mezzanine levels and rooftop plant, the proposed development presents as a 20/21 storey built form.
- The combination of reduced setbacks to Regent Street, William Lane and Marian Street, and the 'excessive' building height, will each have consequential impacts on the ability of Nos. 90 – 96 Regent Street to receive sunlight.

Should you require any further information or clarification concerning this submission, do not hesitate to contact the undersigned on 0409 990 464.

Yours sincerely



Daniel McNamara  
**Director**