

12 April 2018  
218006

Carolyn McNally  
Secretary  
NSW Department of Planning and Environment  
320 Pitt Street  
Sydney NSW 2000

Attention: Ben Lusher, Director – Key Sites Assessments

Dear Ben,

## **Request for Secretary's Environmental Assessment Requirements Proposed Student Accommodation Development | 80-88 Regent Street, Redfern**

We write to you on behalf of the proponent, Iglu Pty Limited requesting that the Secretary issue requirements for the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSD DA) for a proposed student accommodation development with ground floor retail and business premises at 80-88 Regent Street, Redfern.

Under Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) development identified within the Redfern Waterloo area with a capital investment value (CIV) of more than \$10 million is identified as State Significant Development (SSD) pursuant to section 4.36(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). As the proposed development of 80-88 Regent Street, Redfern will have a CIV of approximately \$38.4 million, the proposal is classified as SSD.

The purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an EIS for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal. This letter is accompanied by a Capital Investment Value Estimate prepared by WT Partnership (**Attachment A**) and a set of Indicative Architectural Drawings prepared by Bates Smart (**Attachment B**).

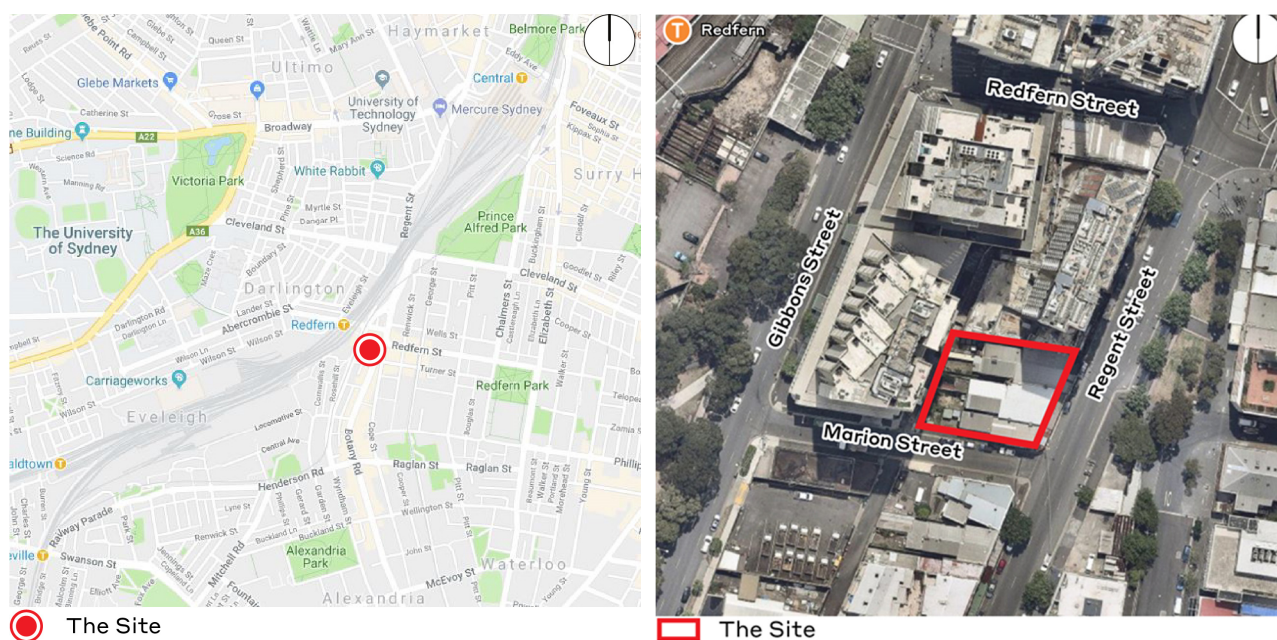
## **1.0 The Site**

### **1.1 Site Description**

The site is located at 80-88 Regent Street, Redfern at the southern periphery of the Sydney CBD, within the City of Sydney Local Government Area (LGA). The site is situated on the western side of Regent Street at the corner of Regent Street and Marian Street. The site is located approximately 160m to the south-east of Redfern Railway Station.

The site is legally described as Lot A, B, C, D and E in DP 105824 with the five lots totalling a site area of 838m<sup>2</sup>. The site contains three road frontages including Regent Street to the east, Marian Street to the south and William Lane to the west. The site is currently occupied by a row of two storey attached terrace retail shops with shop top housing and commercial premises

The location of the site and an aerial photograph are provided in **Figure 1**.



**Figure 1: Site Location (left) and aerial photograph (right)**

## 1.2 Surrounding Development

The area is characterised by a mix of uses including medium to high density residential, commercial and retail buildings.

Immediately to the north of the subject site is the recently completed Iglu Redfern student accommodation facility. This development, designed by Bates Smart for Iglu, was approved by the (then) Planning Assessment Commission on 25 August 2015 (SSD 6724) and comprises (as modified):

- Partial retention of Regent Street facades and demolition of existing buildings within the site;
- Construction of an 18-storey building including student accommodation for 370 beds;
- Ground floor retail and commercial tenancies; and
- Associated signage, streetscape improvements and landscaping, and extension of services and infrastructure.

Construction works have been recently completed, with the student accommodation facility commencing operations in March 2018 and ground level retail tenancies expected to commence operations imminently.

Further to the north, adjacent to the existing Iglu building, is a two-storey brick rendered building that is used as a pub (Railz pub) and to the north-west an 18 storey mixed use residential development including a retail podium containing the Redfern RSL.

To the west of the Site at 7-9 Gibbons Street is a newly constructed eighteen storey mixed-use development comprising retail and commercial uses, a supermarket and 135 residential apartments.

To the east, on the opposite side of Regent Street is a landscaped public open space area and a vehicle repair station. Beyond the public open space is a mixed use six (6) storey building and various two storey commercial terraces.

Immediately to the south of the site is Marian Street, beyond which are a mixture of terraces fronting Regent Street. To the south west across Marian Street is 11 Gibbons Street, which is currently used as a City of Sydney Council depot, however, Council have recently agreed to sell the property to St George Community Housing for the

purposes of developing affordable housing. SEARs have been previously issued for the depot site for a proposed 18 storey social and affordable housing development (SSD 16\_7749).

Immediately to the south of the Council depot site is an existing 4-5 storey residential apartment building at 13-23 Gibbons Street. SEARs were requested on 7 March 2018 in relation to a proposed student accommodation facility.

### 1.3 Existing State Significant Development Consent

A State Significant Development Consent for the subject site was issued by the (then) Planning Assessment Commission (PAC) on 22 November 2017 for the construction of an 18-storey mixed-use residential development comprising 56 apartments, commercial and retail tenancies and a child care centre with four levels of basement car parking. A photomontage of the approved development is provided at **Figure 2**. The former land owners and proponents of the approved residential development have decided not to proceed with the approval and instead entered into an agreement to sell the site to Iglu in December 2017.



**Figure 2** Photomontage of currently approved mixed-use residential building

Source: SJB, *Final Revised Response to Submissions Report*

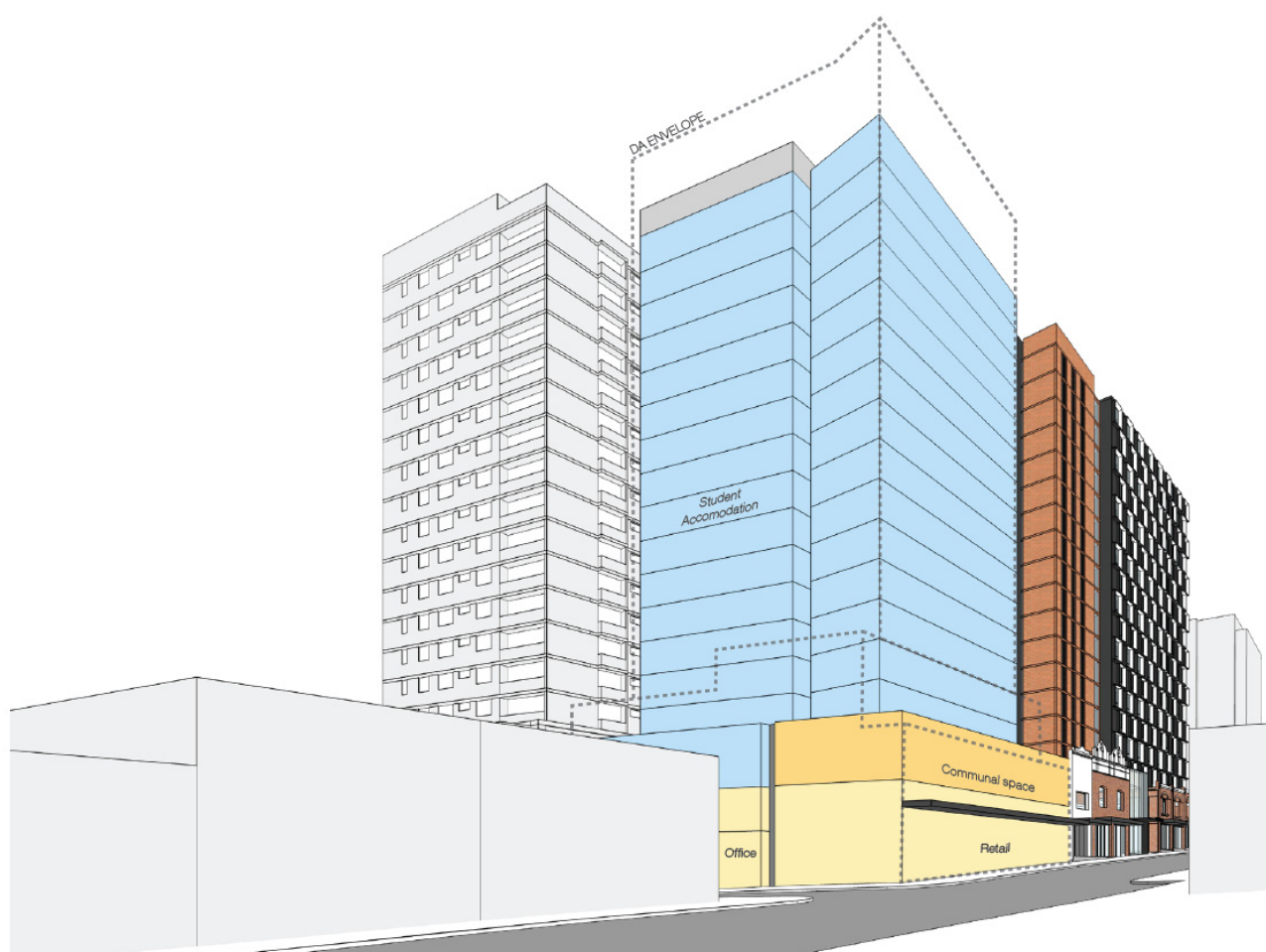


## 2.0 Description of proposed development

The proposed development entails the construction of an 18-storey student accommodation building with ground level retail and business premises. The proposed student accommodation facility would include approximately 260 beds (in the form of studios and cluster bedrooms), new indoor and outdoor communal spaces for students, and would operate as an integrated facility with the recently-completed Iglu student accommodation building at 60-78 Regent Street. New retail and business/office tenancies would be provided at ground level, activating Regent and Marion Streets and complementing the forthcoming retail premises along Regent Street within the existing Iglu building.

The proposed building would be contained generally within the envelope of the approved mixed-use residential apartment building (SSD 7080), with a lower overall building height due to the reduced floor-to-floor heights for student accommodation (refer **Figure 3**). The gross floor area (GFA) would be in the order of approximately 7,080m<sup>2</sup> (8.62:1). Whilst the GFA is higher than the current residential approval, the building envelope is reduced in volume due to efficiencies achieved through a student accommodation floorplate.

Indicative Architectural Drawings prepared by Bates Smart have been provided for information purposes at **Attachment B**. These drawings reflect the schematic intent of the proposed development, with the building's architecture and functions to be developed further through the design process prior to lodgement of the Development Application.



**Figure 3** Indicative perspective of building envelope from south (approved envelope in grey dotted line)

Source: Bates Smart

## 3.0 Planning context

### 3.1 *Environmental Planning and Assessment Act 1979*

The EP&A Act establishes the assessment framework for SSD. Under Section 4.5 of the Act the Minister for Planning or the Independent Planning Commission is the consent authority for SSD. Section 4.39 requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

### 3.2 *State Environmental Planning Policy (State and Regional Development) 2011*

The State Environmental Planning Policy (State and Regional Development) 2011 (the SRD SEPP) identifies development which is declared to be State Significant. Schedule 2 of the SRD SEPP states that development within the Redfern-Waterloo Sites with a Capital Investment Value (CIV) of more than \$10 million is SSD.

### 3.3 *State Environmental Planning Policy (State Significant Precincts) 2005*

#### Permissibility

The site is located within the area identified as Redfern-Waterloo Sites under the State Significant Precincts SEPP. The specific controls applying to this area (including the site) are set out in Schedule 3 – Part 5 of the State Significant Precincts SEPP.

The site is zoned – Zone E - Business – Commercial Core, which permits residential development including student accommodation and retail uses with development consent. The proposed use is consistent with objectives of the Business Zone—Commercial Core to facilitate the development of a town centre, to encourage employment generating activities by providing a wide range of retail, business, office, community and entertainment facilities; and to permit residential development that is compatible with non-residential development.

#### Development Standards

In accordance with Clause 21 of Part 5 of Schedule 3 of the Major Development SEPP, the site has a maximum permissible height of 18 storeys (with reduced street wall heights of two storeys to Regent Street and three storeys to Marian Street) and a base FSR of 7:1 (refer to Section 3.4 and 4.1). As shown on the attached Drawings (Attachment A), the proposal would be generally contained within the envelope of the approved mixed use residential apartment building. The proposal would require a variation to the Regent Street setback building height control. A variation to the maximum FSR would also be required.

The site is not located adjacent to or in the vicinity of any nominated heritage items.

#### Design Excellence

Clause 22 of the Redfern-Waterloo planning provisions under the State Significant Precincts SEPP requires that all proposed development exhibits design excellence, and states that a design competition may be required for any building over 12 storeys in height. A number of other applications have been determined in the Redfern Waterloo area without the need for a design competition, including the previous mixed-use residential scheme for the subject site, 157 Redfern Street, Redfern – Redfern RSL (MP 09\_0039), 7-9 Gibbons Street, Redfern – Residential/Mixed Use Building (MP 08\_0112) and 1 Lawson Square, Redfern (SSD 5249-2012).

We note that the calibre of the architectural team (Bates Smart) and the Iglu brand is an important contribution to achieving design excellence, without the need for a design competition. Iglu and Bates Smart have a proven track record of collaborating to deliver design excellence in each of the buildings developed by Iglu in Sydney to date, including through diverse architectural responses. The Iglu Central Building at Chippendale has been widely recognised for design excellence, winning the AIA NSW Awards, Residential Architecture Awards, Multiple Housing 2013 (awarded to Bates Smart) and the AIA NSW Awards, Colourbond Award for Steel in Architecture 2013 (awarded to Bates Smart). The quality of design is also demonstrated in the recently-completed development

adjacent to the subject site at Redfern, as well as at Iglu Chatswood (Shortlist – AIA NSW Awards, Multiple Housing, 2014).

We understand that the project will be subject to the pilot program of the NSW Government Architect's State Design Review Panel which applies to SSD projects.



**Figure 4** Iglu's previously developed buildings at Chippendale (left) and Chatswood (right)

Source: Bates Smart

### 3.4 State Environmental Planning Policy (Affordable Rental Housing) 2009

Purpose-built student accommodation is defined as a 'boarding house' under the NSW planning system. Accordingly, the provisions of the Part 2 Division 3 of State Environmental Planning Policy (Affordable Rental Housing) 2009 (the ARH SEPP) apply to the site. The Zone E - Business – Commercial Core zoning that applies to the site under the SSP SEPP is an equivalent zone to the Standard Instrument LEP B4 Mixed Use zone under the because equivalent land uses are permitted, pursuant to the requirements of Clause 5(1)(b) of the ARH SEPP.

Clause 29(1)(c)(ii) of the ARH SEPP states that a consent authority must not refuse consent to a development for the purpose of a boarding house if the development is on land within which residential flat buildings are permitted where the maximum floor space ratio (FSR) does not exceed the maximum FSR permitted under the base planning controls plus 20%. Accordingly, a maximum FSR of 8.4:1 (7:1 under SSP SEPP + 20%) applies to the subject site.

It is expected that the proposed student accommodation facility will comply with each of the applicable development standards applicable under clause 30, with the exception of the requirements in relation to an on-site manager's dwelling and the requirement to provide motorcycle parking. A variation request will accompany the EIS as appropriate.

### 3.5 Sydney Local Environmental Plan 2012

The provisions of the Sydney LEP 2012 do not apply to the site.

### 3.6 Sydney Development Control Plan 2012 (DCP 2012)

The provisions of the Sydney DCP 2012 do not apply to the site. However, the relevant provisions within the DCP will be considered as a guide when preparing the SSD application.

### **3.7 Draft Urban Design Principles – Redfern Centre**

The SSD will consider all relevant provision and objectives of the Draft Urban Design Principles for the Redfern Centre, including built form, setbacks, modulation, height and public domain, having regard to the application of the guide to the existing consent for the site and recent surrounding developments. These will be detailed within the Architectural Design Report and the EIS.

### **3.8 Other planning policies**

In addition to the above, the following planning policies apply to the site and will need to be considered as part of the SSD application:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).
- State Environmental Planning Policy (Infrastructure) 2007.

## **4.0 Overview of likely environmental and planning issues**

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future DA.

### **4.1 Urban Design, Built Form and Streetscape**

The EIS will include an assessment of the proposed building design and will outline how the proposed building achieves design excellence (in accordance with the requirements of the State Significant Precincts SEPP). An architectural design statement prepared by the architects will also be submitted explaining the design principles of the building, the design responses to surrounding development and the Regent Street streetscape.

Whilst the proposed development will exceed the maximum street wall building height control to Regent Street and the maximum FSR control, it is considered that the proposed development will nonetheless achieve the objectives of these development standards and deliver a high quality urban development outcome that complements and improves the existing Redfern town centre.

### **4.2 Overshadowing**

The EIS will include shadow diagrams which show the shadowing impacts of the proposed building. As noted above the proposed development will be largely within the envelope of the approved mixed-use residential apartment building and accordingly overshadowing impacts are expected to be equal to or better than those arising from that approval.

### **4.3 View Loss**

The proposed development will be generally consistent with the approved mixed use residential envelope that was determined by the IPC in November 2017. Accordingly, the impact of the proposed development on private views from adjoining residents will not be worsened. A view impact analysis will accompany the EIS.

### **4.4 Public Domain and Landscaping**

A Landscaping Plan will be submitted with the SSD DA providing details of publicly accessible areas and finishes, include indicative public domain upgrades adjacent to the Site.

### **4.5 Traffic, Access and Parking**

A Traffic and Parking Statement will accompany the application which that will detail the accessibility of the site, and the suitability of servicing facilities are available for the proposed development.

#### **4.6 Waste Management**

A Waste Management Plan will be prepared as part of the EIS. The plan will indicate the collection points and method of removal from the site, include the various waste streams from the different uses proposed. The report will include details of the waste storage and collection arrangements for the retail uses and student accommodation.

#### **4.7 Noise**

A Noise Management Plan will be prepared as part of the EIS. The potential noise impacts created by the proposed development will also be considered in the EIS, in particular the management of outdoor communal areas.

#### **4.8 Accessibility**

The proposed development will be designed to provide universal access to all publicly accessible areas and will provide accessible accommodation in accordance with the City of Sydney Access DCP. An access statement prepared by a qualified accessibility consultant will accompany the EIS.

#### **4.9 ESD**

An ESD report will accompany the application. This report as well as the EIS will consider the relevant ED principles, as well as to meet any applicable standards or codes.

#### **4.10 Safety and Security**

A Crime Prevention Through Environmental Design (CPTED) report will accompany the application addressing the issue of crime prevention and safety.

#### **4.11 Plans of Management**

An Operational Plan of Management (POM) will be completed for the operation of the student accommodation. This indicative POM will form part of the EIS and will provide details in relation to maximum occupancy, on-site management, use of communal areas, facilities and the like. The POM will detail how the new building will operate as an integrated component of the existing adjacent Iglu facility.

#### **4.12 Services Plan and Details**

Information on the proposed site services will be provided which will confirm that the existing site services can be suitably augmented to accommodate the proposed development.

#### **4.13 BCA Report**

The EIS will include a BCA Report, confirming that the proposal can or is capable of complying with the relevant provisions of the BCA.

#### **4.14 Construction Management**

A preliminary Construction and Environmental Management Plan will be submitted with the application outlining the key management measures to be implemented during construction of the proposed development.

#### **4.15 Community and Stakeholder Consultation**

The EIS will document consultation undertaken during the preparation of the application, including with neighbouring residents and key stakeholder organisations.

### **5.0 Conclusion**

The purpose of this letter is to request the SEARs for the preparation of an EIS for the proposed student accommodation building with ground floor retail at 80-88 Regent Street, Redfern. It includes a description of the



proposed development and an outline of what are considered to be the key issues for the assessment of the State Significant Development Application.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 02 9409 4961 or at [moliver@ethosurban.com](mailto:moliver@ethosurban.com).

Yours sincerely,



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