

D&A Markakis Pty Ltd

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Monday 21st February 2022

Director- Key Sites Assessments, Planning and Assessment, Department of Planning and Environment

Submitted via NSW Government Major Project Planning Portal

Dear Sir/Madam,

Re: Objection to Application SSD-12618001

SSD Site Address: 104-116 Regent Street, Redfern

SSD Application: Proposes 18 storey student accommodation development including 411 beds

As the owners of the heritage property at 118 Regent St, Redfern (former St Lukes Presbyterian Church building – ‘St Lukes’), we are writing to notify the Department of our objection in relation to the above development (SSD-12618001).

Acknowledging that the applicant has made incremental concessions in relation to our concerns, following discussions with representatives of the applicant in relation to the proposed development, further to our previous submissions relating to adjoining developments to the subject site from the applicant (situated at 90-102 Regent St, Redfern and 13-23 Gibbons St, Redfern), our grounds of objection are as follows:

Ground of Objection	Explanatory Notes
Size, Bulk and Scale	<p>In order to achieve design excellence, in line with the Redfern Centre – Urban Design Principles (RC-UDP) and Clause 22 in Part 5 of Schedule 3 of State Environment Planning Policy (Major Projects) 2005, it is essential to note the following:</p> <ul style="list-style-type: none">- The requirement that ‘the form and external appearance of the building will improve the quality and amenity of the public domain’ (Clause 22(b), Part 5, Schedule 3, SEPP Major Projects 2005) and the design principle that ‘Built form and massing of new development is to respond to the immediate context and character of the site and should provide a transition between scale’ (Page 26 of RC-UDP). <p>We urge that more can be done to bridge the impacts between the southern low scale development and northern high scale developments for a positive planning outcome and that significant consideration should be given to this by the applicant. For instance:</p>

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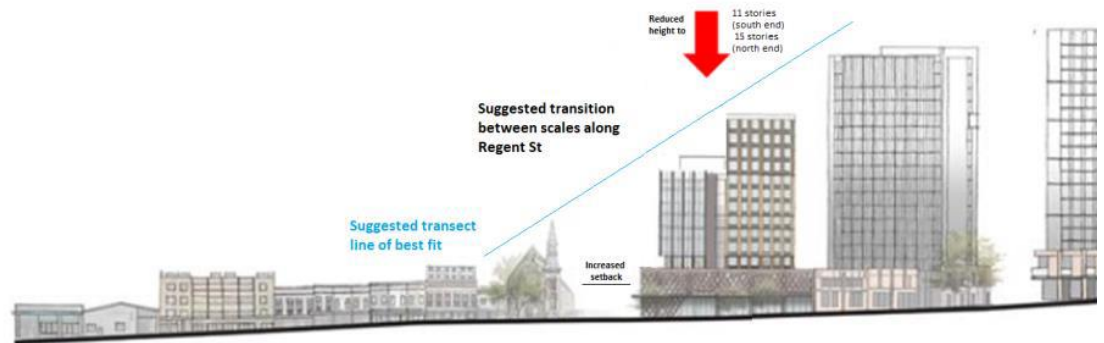
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- Increasing the tower setback from 118 Regent St, Redfern
- Increasing the podium setback from 118 Regent St, Redfern
- Further reducing the bulk on the southern side of the proposed development
- Reducing the total height of the proposed development

For instance, please see the below alternative streetscape model that would represent a more reasonable transition and superior planning outcome, responding to the immediate context and character of the site and providing a transition between scale:



Material Increase in Overshadowing

The applicant's previous approved SSDs are situated at:

- 90-102 Regent St, Redfern (408 beds comprising of 338 studio rooms)
- 13-23 Gibbons St, Redfern (419 beds)

The above SSDs have resulted in material overshadowing from 12pm to 3pm onwards, which did not exist before.

The overshadowing plan for SSD-12618001 shows material overshadowing from 10am onwards.

Essentially, as a result of the applicant's developments, it is our understanding that solar access to the heritage former church building at 118 Regent St, Redfern has been significantly detrimentally impacted with a devastating cumulative impact as a result of the approved and proposed developments.

We further note that 'the massing and design of building must maintain solar access to adjacent development, open space, and the public domain in accordance with best practice' (Page 26 of RC-UDP).

With regard to the above principle, we strongly advocate for the development to be appropriately massed and designed to ensure that solar access is maximised to the heritage church building which was built in an era that was pre-electricity and heavily relies on solar access in its design and use, which it has been benefitting from for the long duration up until recently that the proposed development site was functioning as a BP

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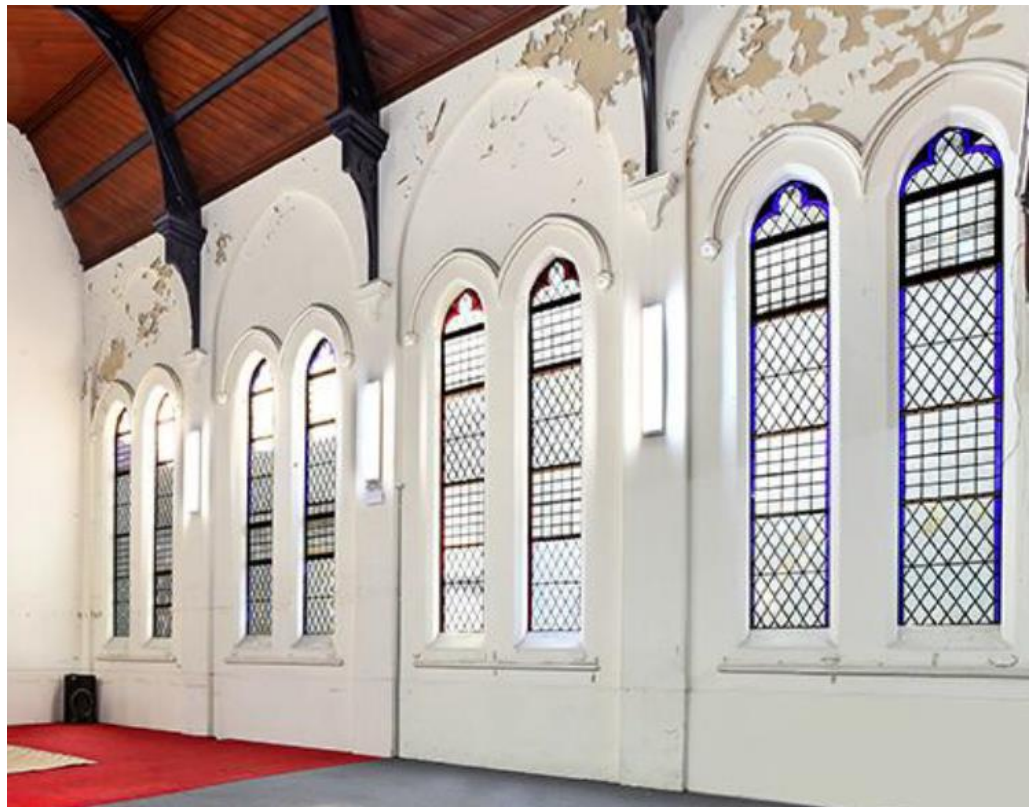
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Service station, providing a significant view corridor on Regent St to the church building and essentially unobstructed solar access to the heritage property (images below).



In this respect we query if the setback of the tower from the podium will be a minimum of eight metres from all sides in accordance with the RC-UDP? Such appropriate setbacks will both minimise any potential overshadowing and minimise wind impacts to pedestrian amenity in ensuring design excellence for the proposed development.

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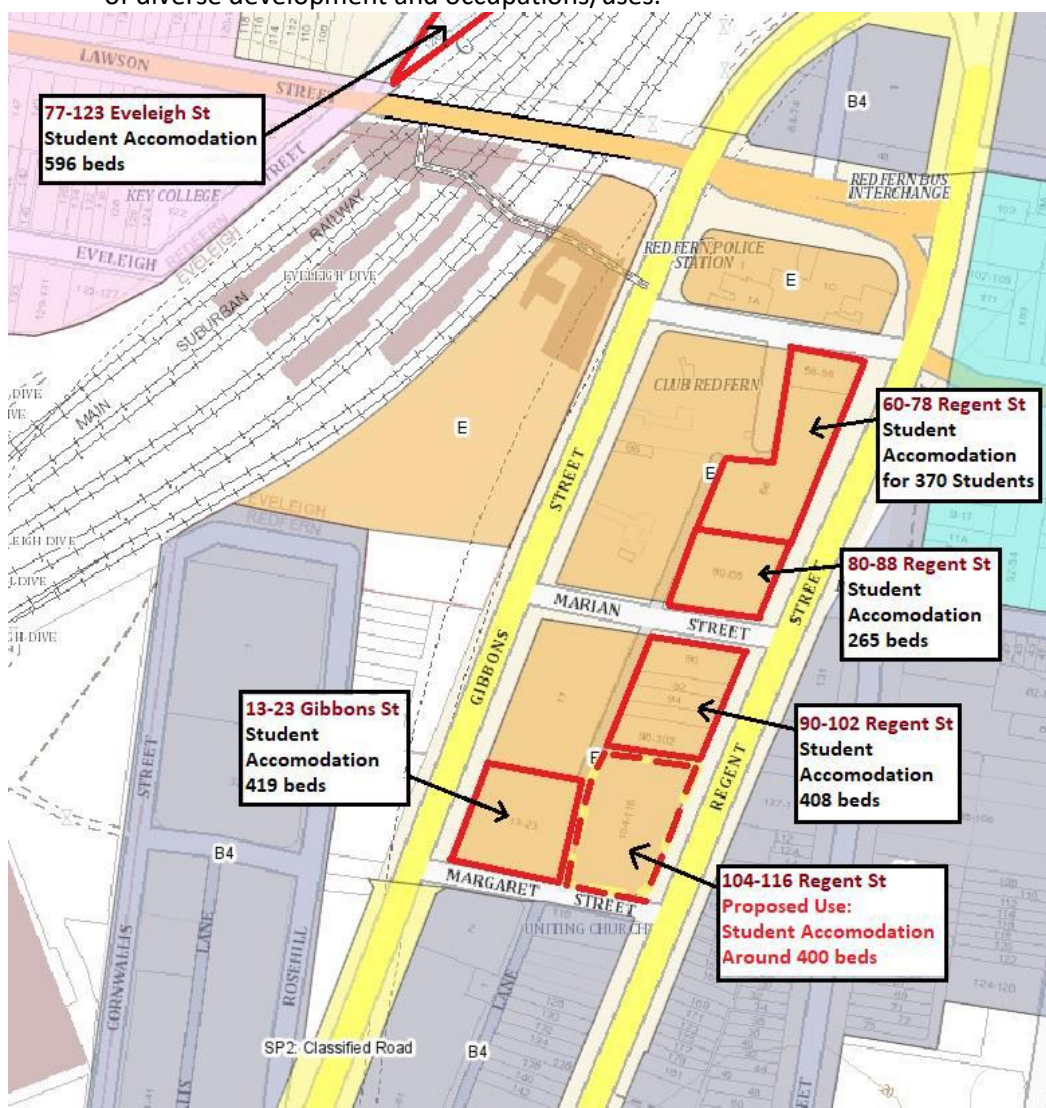
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Oversaturation of student accommodation

The planned development conflicts with or is detrimental to many of the objectives of 'Zone E – Business – Commercial Core' set out in Schedule 3, Part 5 of the SEPP (Major Projects) 2005, such as:

- a) The 'facilitation of the development of a town centre' is hindered by the fact that the Redfern town centre precinct currently compromises of an oversaturation of existing and approved student accommodation uses (please refer to below planning map). A further student accommodation development would result in significant detriment to the objective of developing a town centre due to a lack of diversity of uses, resulting in a town centre which does not benefit from an influx of diverse development and occupations/uses.



- (b) 'Encouraging employment generating activities by providing a wide range of retail, business, office, community and entertainment facilities' is another objective which is not met by the proposed development given the context of the existing oversaturation of student accommodation uses in the Redfern town centre. Such a saturation of student

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accommodation will serve to undermine the diversity of uses and benefit to all in the Redfern community.

(c) Approved and existing student accommodation developments in the immediate precinct are situated at:

- 60-78 Regent St. Redfern (student accommodation for 370 students)
- 80-88 Regent St, Redfern (265 beds within 185 units)
- 90-102 Regent St, Redfern (408 beds comprising of 338 studio rooms)
- 13-23 Gibbons St, Redfern (419 beds)

On the western side of Redfern train station there is also additional student accommodation development at 77-123 Eveleigh St, Redfern (596 beds).

The 104-116 Regent St site offers the possibility of providing a range of retail, business, office and community uses and facilities, with the proposed student accommodation use (with a single retail premises) being an underutilisation of the diversity a genuine mixed use development could offer to the Redfern township. Given the enormity of the existing and approved student accommodation developments in the precinct, the opportunity for a diversity of retail, business, office, a broader range of residential uses, community and entertainment facilities is immensely undermined to the detriment of the Redfern township.

As a result of the lack of retail shops along northern Regent Street, especially notable in the approved development at 90-102 Regent and the proposed development at 104-116 Street (with one retail shop only per state significant site) the 'vitality' of the Regent St streetscape is diminished at a critical juncture between northern Regent St (in close proximity to the train station) and southern Regent St. This is especially important when considering what benefits to the township a suitable mixed use development with retail activation as well as commercial spaces within the podium levels of such development would offer to the local community. Additional students are not something that the local economy requires as there is already an oversaturation of this use in the township and Redfern precinct. New state significant developments should look to bring different types of demographics, uses, occupations, etc. to the locality. In fact, the possibility of having potentially five enormous student accommodation developments from 60-78 Regent St to 104-116 Regent (and linking back to 13-23 Gibbons St) is highly alarming in relation to the lack of diversity of developments and uses, resulting in a severe lack of vitality and diversity in the precinct (as reflected on the planning map on the previous page).

The proposed student accommodation use is not compatible with recently submitted and approved developments to the north and west of the site as it will result in a severe oversaturation of student accommodation in the precinct to the detriment of the diversity and vitality of the township. Compatible developments should be complimentary or functioning cohesively in achieving a range of objectives (retail, commercial, all types of residential, community, etc.) instead of risking the local economy to being overexposed and overreliant on student accommodation - the risks of which we have recently seen and are currently experiencing with the Covid-19 pandemic and its extremely detrimental impact on international student enrolments at local universities and colleges. A diversity

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	<p>of residential housing is essential to ensuring long term growth, stability and vitality in the Redfern township which is not being achieved via another proposed student accommodation development in the Redfern town centre. Please see the following evidence below of the impacts of the detriment of an overreliance on student accommodation towers (resulting in empty towers to the detriment of local food, retail and commerce – including the existing Iglu student accommodation tower on Regent St):</p> <p>- https://www.commercialrealestate.com.au/news/student-accommodation-operators-look-for-alternative-uses-for-empty-buildings-2-1068146/</p> <p>- https://www.smh.com.au/national/nsw/towers-built-but-mothballed-as-universities-left-without-international-students-20210120-p56vmf.html</p> <p>- https://www.smh.com.au/national/nsw/redfern-is-already-ruined-but-spare-it-student-quarantine-20210603-p57xqg.html</p> <p>- https://www.smh.com.au/politics/nsw/huge-question-mark-over-university-plan-after-outbreak-cut-to-caps-20210702-p586el.html</p> <p>- https://www.theage.com.au/national/victoria/occupancy-has-hit-the-cliff-thousands-of-student-apartments-mothballed-20210210-p5718x.html</p> <p>- https://honisoit.com/2020/04/sydney-university-village-remove-signs-calling-for-rent-suspension/</p> <p>- https://www.theguardian.com/australia-news/2021/jan/23/australian-universities-warn-of-economic-ripple-effect-if-international-students-remain-locked-out</p>
Other concerns:	<ul style="list-style-type: none">- The proposed student accommodation use would result in a decrease in the amenity to the surrounding area as per our previous submissions through the increase in congestion and detriments due to the student accommodation saturation. Even with an operational management plan to mitigate the impacts of antisocial behaviour, it is still believed that the net effect would still be detrimental to the surrounding area and heritage church building.- Given the age, character and architecture of the heritage church, concerns remain over potential construction and vibration impacts as per our previous submissions.

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In consideration of the lack of material concessions by the applicant to appropriately mitigate the detrimental impacts of the proposal development, especially in consideration of the detrimental impacts arising from bulk, scale, size, overshadowing and use, to achieve a better planning outcome, our position remains that we urge the development proposal in its revised form be refused by the Minister of Planning.

We welcome the opportunity to further explain our concerns. Please do not hesitate to contact us on 02 8596 2740 or email jm@rwnewtown.com.au to discuss further.

Yours Sincerely,

Dimitrios, Anastasia, Anthony and Matthew Markakis
Directors of D & A Markakis Pty Ltd