1. My name is Elizabeth De Freitas and I have been a resident of The Block for approximately 4 years. Prior to this I had been a frequenter of the suburb since I was 19 years of age when I attended the University of Sydney as an undergraduate student. I studied, amongst other things, Modern History and Politics at this time and broadened my understanding of what I had already recognised as the many great injustices and attempted genocide of our First Nations peoples and the continuation of these practices, albeit in different forms, in the present day. Whilst I was privileged to have gone to school with a couple of Aboriginal students, my only real contact with the Aboriginal community in Sydney, post secondary school, was through my interactions with the locals in Redfern. Later, I started working in the Community Legal Centre sector as a Tenant Advocate and my involvement in the community grew. I have always loved Redfern but over the years I have seen it change and whilst some these change has been positive, the removal of the Aboriginal community has saddened me. The existence of the Redfern Community Centre and my continued involvement with Aboriginal people - who I engage with as friends, colleagues, fellow activists, neighbours and generally as part of my wider community, make Redfern still a wonderful place to live but it could be better. This proposal with not ensure the provision of social and affordable housing for the Aboriginal community and for this reason I submit this objection to the proposal.

2. I do not own property in the area, nor in any area for that matter, and therefore I have no commercial/private property-type vested interest in the area. I am likewise not a NIMBY (Not In My Backyard) as I am not opposed to development per se, I am just opposed to bad development and what appears to be likely; unjust and exploitative development that does not do anything to remedy the problem of major gaps in the supply of social and affordable housing, for the Aboriginal community first and foremost, but also for the wider community at large. Redfern is already the victim of gentrification and social cleansing and I think it is important that this be stopped particularly given the importance of The Block to Aboriginal people (and I use this word as inclusive of Torres Strait Islanders) not just in Sydney, or even in NSW, but nationally as well.

3. Attached as an addendum to my submission is a submission from a local resident who would like to remain anonymous. I wholeheartedly support and concur with all that has been argued in this submission and make use of the figures and photographs as providing my own would be an exercise in re-inventing the wheel. This person’s submission has allowed me the luxury of not having to take my own photographs or provide my own figures. Having said that my figures and photographs would simply replicate theirs, albeit likely not as well done, and hence the decision not to do so.

4. Instead, I will make comments in response to the transcripts that were provide by the Independent Planning Commission (IPC) after meeting with the Applicant, City of Sydney Council and the Department of Planning and Environment.

a. Meeting with the Applicant

5. The Applicant suggests that it has “overwhelming community support”. How have they assessed this? They have not provided any evidence in support of this statement. The last round of submissions suggests, overwhelmingly, that there is almost no community support for the project.

6. The Applicant point to a 2016 study done by Knight Frank which came to the conclusion that there was a significant undersupply of purpose-built student housing in Sydney. This may have been the case in 2016 but it is certainly not the case now, particularly in Redfern. Quite a number of purpose-built student housing has been established in Redfern since this time. If
anything there is probably an oversupply of student housing in the Redfern area and it's surrounds.

7. The Applicant suggests that the proposed development would by “city shaping” and that the buildings would be “iconic”. Looking at the designs it would be more correctly described as an eyesore. CentralPark is an iconic building that has won numerous design and sustainability awards. The Pemulwuy project looks like an inferior development that will likely be built on the cheap and as a result have numerous ongoing building maintenance problems as have a growing number of Deicorp (and it's many other identities given it's ever changing ACNs) developments - some of which have been the subject of NSW Supreme Court actions.

8. The Applicant makes the statement that international students “generally don’t own cars”. As a resident I can assure you that a number of international students in the area do appear to either own cars or at least have access to cars that they park on The Block. It should be pointed out that a large proportion of international students have considerable family money backing - they need to in order to pay the exorbitant and often exploitative amounts of money extracted from them by the universities but also by the purpose-built student accommodation providers who often try and circumvent NSW residential tenancy legislation to ensure greater exploitation so as to increase their already considerable profit margins.

9. The Applicant has pointed to the fact that they will provide 179 bike spaces as well as 20 of which will be provided on a shared basis. Once again as a local resident I can assure you that I have rarely if ever (actually probably never) seen an international student riding a bike in Redfern. Having said that if all or even some of these almost 600 additional students were to take up bike riding, this would cause just as much traffic problems in the area as the use of cars. The roads around The Block are not very wide and the footpaths are so small as to be barely unusable in most instances once one takes council bins and local resident parking into consideration.

10. The Applicant suggests that a “drop-off zone” could be established for students using Taxis and/or Ubers in an area where there are 8 street parkings, i.e in Caroline Street. This is nonsensical in it’s total lack of consideration of the existing amenity. Caroline Street is already overburdened with cars and foot traffic and cannot accommodate up to 600 or so students being dropped off at all hours of the day. Add to this equation the existence of UberEats and the popularity of this product with the youth generally, but cashed up international students in particular, and the street will be a nightmare of private car, taxis, bikes, Uber and UberEats clogging up the road and “footpaths” at all hours of the day.

11. The Applicant states that it “rigorously considered in terms of the way in which it deals with pedestrian traffic, conflict, gathering, drawing people, but also the ability to maintain and restore the artwork on the Lawson Street Bridge and returning down the wall against the rail line, so that isn’t a forgetting piece of art work, or a relic, but it now come to the foreground”. The reality is that this appears to be largely tokenistic and not a true or considered attempt to ensure that the area maintains some remnant of it’s very important Aboriginal past nor the continuation of this import into the future.

12. The Applicant suggests that this public art “could” turn into a “living wall that every three to five years (be) put out to young Indigenous artists” who could “come in” and change it. It appears that the Applicant, in their own words, appear to have conceded that there will be no indigenous artists, young or otherwise, living in The Block to do this. Given the lack of any conditions being satisfied to ensure affordable, let alone social, housing for the Aboriginal community in their proposal, it seems inevitable that a suitable artist would need to be shipped in from the suburbs in order to fulfil this proposed commitment. Sadly, it appears that if this proposal were allowed, the only thing in the development that satisfies the continued Aboriginal “link” to the area is the artwork - i.e “a family of turtles” - given the likely absence of any actual Aboriginal residents.
13. The Applicant refers to its “statement of commitments” as a means of assuring the community and others of its commitment to provide housing for Aboriginal people. I submit that in the absence of any statutory obligations to provide, without equivocation, social and affordable housing for Aboriginal people, then it is likely that the process of gentrification and social cleansing will be complete. Notwithstanding the turtles.

14. The Applicant has not provided the student accommodation with equal amounts of study or communal space per storey and therefore will allow for an inequitable and discriminatorily student housing product which will almost definitely result in Aboriginal students being segregated to the smallest units on floors with the least common amenity. This will inevitably result in conflict between the international student population and the Aboriginal student population, who will quickly realise that they have been dealt a pretty rubbish hand in the student accommodation game.

15. Earlier submissions have referred to the unhealthy conditions evident in existing purpose-built student housing and I concur with these criticisms/objections. The developer, like the student housing provider, is concerned with being “competitive in the market” and as the current market has allowed inferior and exploitative practices, the Applicant believes that they should likewise be allowed to provide these questionable products. The difference here of course is that they are seeking to exploit Aboriginal students now as well as their international peers. The Applicant states that they are at the “top end” of this industry. This may be the case but they are competing with an extremely low base. 2.5 square meters is a cupboard not a healthy living space. In the absence of accompanying study/communal space, it is a shoe box. There is no consideration of the well-being of students in this development only in the profit margin of those who are seeking to profit from this development. These are the only winners. The losers? The Aboriginal community mainly but also the non-Aboriginal resident community at large. This is not the “best way” but the cheapest and nastiest way to provide accommodation to anyone.

16. The Applicant has not achieved nor has it even properly looked into Community Housing Provider (CHP) registration and therefore is not itself able to manage social or affordable housing. Whilst I understand that the hoops required to do this is onerous and possibly racist, in its absence, and in the absence of any collaboration with a registered CHP or an alternative mechanism for getting around this obstacle, the Applicant is just not in a position to legally provide social or affordable housing. Despite this the developer has, incredibly, asked for a waiver on the required contributions.

17. Deicorp boasts a 9 year relationship with the AHC yet at no time during this period, have either party looked seriously at how to ensure that they can actually and legally provide social and affordable housing to Aboriginal people. On the face of it, it appears that perhaps this is not the professed aim or certainly at least not the most important aim of the development for either party.

18. The Applicant refers to The Block as like a “general library” where “not only Indigenous people from the country and also… all around the world that people come”. In my experience, whenever there has been more than a few Aboriginal people congregated in the area, notwithstanding for City of Sydney events, the police have been called. If this development is allowed to go ahead this will almost certainly occur every time a group of Aboriginal people come to The Block.

19. The Applicant suggests that it is working with an Aboriginal housing registered supplier that they are in “very close partnership” with, yet this entity is neither named nor have them been involved in any of the consultations.

20. The Applicant concedes that “the need to register as a community housing provider is more than likely a step too far in these kind of circumstances…”.
21. The applicant likewise concedes that even if the development were to go ahead, that they would not even necessarily house Aboriginal students despite their proposed commitment to provide affordable housing to 110 Indigenous students. They openly state that they cannot guarantee that these, as noted earlier, likely inferior units, will even be used to house Aboriginal students but will instead likely be opened “back up to the market” where profit margins will be higher. This will be done at “the AHC discretion” and so a possible outcome will be that NO Aboriginal students will be housed but instead the 110 proposed subsidised student accommodation for Aboriginal students will be used to house full fee paying international students.

22. As an aside, but a highly relevant aside, I took part in an ‘Information for Impact: Expert Workshop” at the University of NSW (UNSW) on 28 November 2018, that was co-covened by the UNSW Human Rights Institute - which is proudly sponsored by the NSW Government - and the University of Technology and that looked at the increasingly problematic issue of international students experiencing exploitative accommodation in Sydney. Studies by the two universities show that of the international students interviewed, 38% had issues with misrepresentation and exploitive conduct on behalf of the international student accommodation provider.

23. It is difficult to see how the Independent Planning Commission can do anything but reject this application. Having said that I am wholeheartedly in favour of Aboriginal housing being built on The Block and that this be done as soon as possible as the existence of an unused patch of land so close to the city and so important to Aboriginal peoples left undeveloped is heartbreaking even for me, a non-Indigenous person.
Pemulwuy Concept Approval (MP 06_0101 MOD2),
State Significant Development (SSD) application
8135, Pemulwuy Project Approval (MP11_0089
MOD1)
Objection from a local resident
20 November 2018

I’ve lived in Redfern for the past 8 years and currently reside on Caroline St. I know my
disappointment with the Pemulwuy project and the process is felt by others in my community
by the fact that 94% of the submissions to the Department opposed the project.¹

The following pages detail why I object to the development. I make reference to the
18.10.2018 Assessment Report and other documents of interest. I’ve provided footnotes
where necessary.

**Shadowing**
On page 5 of the report “The Department’s assessment concludes the increase in height of
the Precinct 3 building …from 8 to 24 storeys….would not have an adverse impact on
amenity in terms of overshadowing, overlooking, impact on views”. ²

The report includes very low-quality shadowing impact illustrations to support this assertion
(figure 19 - see below)³. At 9 am the illustration shows very long shadows stretching South
over Little Eveleigh St. At midday the shadows move over onto the Eastern side of the
station. Looking at these diagrams you would be forgiven for thinking Caroline St, Hugo St,
Louis St, Eveleigh St, and Abercrombie St would not be impacted by any shadowing.
Unfortunately, this is far from the truth and an example of the many distorted facts contained
in the report.

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¹ As shown by the fact that 171 of the 183 submissions opposed the project in its current form. Page 70
² Page 5
³ Page 54
To distort the facts, the assessment report only includes mid-winter shadowing illustrations. This is a very deceptive time of year to illustrate the impacts of shadowing due to the angle of the sun.

Using the proposed heights listed on table 17\(^4\) I have generated shadowing visualisations\(^5\) based in summertime 23rd December. These illustrations (below) present the devastating impact such a tall building will have on the natural light available to the nearby 2-storey terraces.\(^6\)

\(^4\) Page 61
\(^5\) Generated using http://shadowcalculator.eu
Most of the residents on Caroline St, Hugo St, and Eveleigh St should expect to wake up, get dressed, eat breakfast and go to work with their houses covered in shadows by the 24-storey skyscraper.

The full impact of the shadowing on the neighbourhood can only be understood by also considering the nature of 1900’s terraces that make up the majority of the buildings in the conservation area. These terraces are very narrow and long. They typically have a small window at the front of the house, a small window at the rear, and 1 window for each of the front and back bedrooms. Being terraces, most have shared walls, and as such no side windows. In short, such houses are already very dark, and the shadowing from a 24-storey

*Generated using http://shadowcalculator.eu*
high rise will have devastating impacts on natural light, and ultimately the quality of life for the residents.

Furthermore, as these terraces are located in a conservation area, the owners of these homes will not have the opportunity to make their windows bigger or change any of the facades to improve access to natural light.

**Bulk and Height: Nearby 18-Storey Buildings**

How have the developers tried to convince the community, the City of Sydney, the Department of Planning, and you the IPC, that a building of such bulk and height in a low-density area is appropriate?

“The Department acknowledges the Pemulwuy Precinct does not currently contain tall buildings and there are currently no tall buildings in this locality, on the eastern side of the railway corridor. However, on the eastern side of the railway corridor, approximately 100m to the south-east of the site, there are four existing (and one proposed) 18-storey high-density mixed-use developments”.

I think this justification for the bulk in height is one of the most egregious distortions of the truth. The eastern side of the railway tracks is a distinctly very different area in terms of road width, business zoning, traffic, and overall environment. Regent St and

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7 Page 49
Gibbons St are both 4 lane high traffic commercial roads, featuring a supermarket, bars, shops, apartments and offices.

In fact, I believe the nearest residential terrace to the 18-storey building at Lawson Square is 79 Wells St, roughly **77 metres away** (see below). This is very different from the proposed 24-storey student highrise being less than **20 metres away** from 2-storey terraces!

This should be considered with the fact that Wells St has mixed-zoning being home to the Tram and Rail Union building and a bar, so is not directly comparable to the quiet residential conservation area surrounding Pemulwuy.

Above: It is around **77 metres from the 18-storey building at 1 Lawson Square to the nearest residential terrace at 79 Wells St. Very different from what is being proposed.**
Above: 79 Wells St looking west towards 1 Lawson Square.

Above: The hustle and bustle of Lawson Square (top) contrasted against the quiet low-density conservation area around Caroline St (bottom).
In the above, I have detailed why the 18-storey buildings around Lawson Square are not a sound comparison to the proposed 24-storey building at precinct 3. Furthermore, such a fraudulent comparison still fails to justify why the precinct 3 building deserves to be taller than the buildings at Lawson Square.

**Bulk and Height: Central to Eveleigh Transformation Strategy**

The assessment report also draws on the Central to Eveleigh Transformation Strategy as justification for the bulk, height of the proposed precinct 3.

> “The Central to Eveleigh Transformation Strategy (CEUTS) guides the renewal of approximately 50 hectares of government-owned land in and around the rail corridor from Central to Erskineville stations”

However, damningly the proposed precinct 3 building is outside the CEUTS, and inexplicably, 8-storeys higher than the buildings that are in the zone! On this basis, the report again fails to justify why a 24-storey highrise at precinct 3 has any merit for consideration.

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8 Page 25
9 Page 25
‘Subsidised’ student accommodation for Aboriginal students
The report mentions precinct 3 will:

“Provide of 110 beds within the student accommodation made available for ATSI students at subsidised rates” ¹⁰

Worryingly, at the IPC meeting with the Applicant (13 Nov 2018), Ms Tutuila contradicted this promise of 110 beds by commenting “For indigenous students, 100 beds.”

Furthermore, the report fails to mention the rate of subsidy, what styles of accommodation the 110 beds will be, nor any commitment to the 99-year timeframe. Within precinct three, 233 beds are proposed to be studio apartments, 74 twin rooms, and 43 5-bedroom cluster units.¹¹ Will Atira or the AHC commit to providing details on what type of accommodation will be made available at subsidised rates?

The rate of subsidy is also a very important missing piece of information. Atira accommodation fees are prohibitively expensive, far exceeding the market price for similar private rentals. For example, a studio in Atira’s Melbourne La Trobe street is $519 a week!¹² This compares very poorly to a modern 2-bedroom apartment on the same La Trobe St that is currently available for rent for $520.¹³ I estimate the rate of subsidy will need to be upwards of 60-70% to make it an attractive offer for disadvantaged students applying through the AHC.

Another unanswered question is how will the subsidised student accommodation be guaranteed during the 99-year lease? What happens if Atira sells the business to another student accommodation provider? What happens if there are not 110 Aboriginal students interested in the offer (which may not be attractive)?

International students and car ownership

“Well, you know, you are looking at international students in the main being housed there, and students generally don’t own cars.”

- ANDY LUDVIK, IPC Meeting with Applicant, 13 Nov 2018,

The assumption the students will not be driving cars is the key argument for Precinct 3 having no car parking, and the traffic modelling provided. One thing is for sure, the international students who can afford to pay at the Atira’s exorbitantly high fees will not be struggling students. So while statements stating “students generally don’t own cars” may be true for the average local student, the same cannot be assumed for the well-heeled residents of Atira properties. A separate study looking at International students who stay at

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¹⁰ Page 19
¹¹ Page 19
commercial student housing and car ownership needs to be conducted to confirm that these students will not be buying cars and parking in the neighbouring streets. To not conduct such research is to dangerously rely on hearsay and baseless assumptions.

Pedestrians and Traffic
The report states “The proposal would not result in adverse traffic or car parking impacts.” And “The proposal would not generate additional pedestrian footpath movements that would exceed footpath capacity surrounding the site.”

This perplexing conclusion appears to be very ill-informed. Both Lawson St and Caroline St are unable to deal with the existing pedestrian traffic, let alone any increase. I often witness pedestrians on Caroline St being forced to walk on the road as the footpaths are of inadequate width. Telegraph poles and bins block the already narrow footpaths. Pedestrians, especially those with prams and in wheelchairs already have no choice but to use the road.

Above: Usable footpath width of 75cm LHS looking East along Caroline St.
Above: Usable footpath width of 54cm RHS looking East along Caroline St. The bins cannot be relocated as the houses on Caroline St do not have a front porch, and most do not have rear-lane access.

Table 18 of the report states that the pedestrian traffic will increase in Caroline Street by a factor of 1000% (10x). Curiously it claims this "will not cause an exceedance in comfort levels for pedestrian routes..." ¹⁵

Contradictorily, the report notes there is no proposal to do anything about the paths nor the roads. It is completely baffling as to how these already inadequate footpaths can be deemed suitable for a 10-fold increase in foot traffic. This proposal is setting up a very dangerous situation where pedestrians will have no choice but to share the road with an dramatic increase in car traffic. This lack of insight highlights just how flawed this project really is.

**Conclusion**

All the neighbours I have spoken to are outraged at the deceit and destruction this project represents to our community. Neither AHC or Deicorp have adequately consulted with the community regarding this massive departure from the original proposal.

Furthermore, as has been recently covered in the media, AHC is **not a registered affordable housing provider** and is ultimately not obligated to provide affordable housing for Aboriginal and Torres Strait Islander peoples. It also does not have the trust or the

¹⁵ Page 70
support of the local community. Providing aboriginal housing in the area is extremely important, and should be the primary focus of any development in the area. However, AHC’s latest plans are littered with way too many compromises, flaws, and trade-offs for it to enjoy community support.

I urged the IPC to oppose this proposal.