

ITEM 15. POST EXHIBITION – 397-399 CLEVELAND STREET AND 2-38 BAPTIST STREET, REDFERN, SURRY HILLS SHOPPING VILLAGE – PLANNING PROPOSAL, SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT AND PLANNING AGREEMENT

FILE NO: X003324

SUMMARY

In 2008, the City's Sustainable Sydney 2030 Vision proposed investigating the mixed use renewal of the Surry Hills Shopping Village to support the Crown Street Village hub's role as a focus for the local economy and community. This planning proposal seeks to realise the opportunities of renewing the Surry Hills Shopping Village and improve the site's economic and social contribution to the local area. Increasing the height, but not the floor space ratio, allows floor space to be redistributed to achieve a range of public domain improvements, including new public open space, a through site link, higher sustainability targets, active streets, and a vibrant retail precinct that will provide improved services. The new controls also ensure renewal responds to the character of the area through a design excellence process, stepped building heights, two storey street walls and upper level setbacks.

This report describes the exhibition outcomes and recommends the Central Sydney Planning Committee approve the controls with some minor changes. The proposed controls are included in the planning proposal to amend *Sydney Local Environmental Plan 2012* (the LEP), at Attachment A, and the amendment to *Sydney Development Control Plan 2012*, at Attachment B. The proposal supports a mixed use development comprising a full range supermarket, retail, small scale business and office floor space and around 170 apartments.

The proposed controls include:

- increasing the LEP building height from 15 metres to 25 metres along Baptist Street, from 15 metres to 22 metres along Cleveland Street and from 15 metres to 18 metres along Marriott Street. The building height will also be reduced from 12 metres to three metres in the south west corner for a proposed public open space area;
- ensuring additional building height (not floor space ratio) may be awarded through the design excellence process, which would result in an overall building height of 27.5 metres along Baptist Street, 24.2 metres along Cleveland Street and 19.8 metres along Marriott Street;
- removing the site from the Baptist Street Heritage Conservation area; and
- amending the draft Development Control Plan (DCP) to provide detailed provisions for land use layout, street wall heights and setbacks, through site link, street activation, parking and vehicular access, flooding and stormwater, noise, design excellence and public domain improvements.

No change to the building height is proposed for the heritage building and no changes to the permissible floor space ratio are recommended.

A planning agreement has been prepared, shown at Attachment C, in conjunction with this planning proposal. Public benefits include dedication of a new laneway towards the south, dedication of a new public open space area in the south west, footpath widening along Marriott Street, sustainability measures that exceed the minimum BASIX target by at least 5 points for energy and water, 4 Star Green Star for the supermarket, exceeding Section J of the National Construction Code for other commercial and retail uses and a community bus service for the duration of the construction phase.

In March 2017, Council and the Central Sydney Planning Committee (CSPC) resolved to publicly exhibit the proposed controls and planning agreement. Copies of the resolutions are at Attachment D.

On 1 May 2017, the Department of Planning and Environment, under delegation of the Greater Sydney Commission, issued a gateway determination allowing public exhibition of the planning proposal. The gateway determination is at Attachment E and authorises Council to liaise directly with Parliamentary Counsel to legally draft and make the local environmental plan under delegation, to give effect to the planning proposal.

The planning proposal and draft DCP were exhibited for 28 days from 8 August 2017 to 4 September 2017. The City received a total of 59 submissions. The submissions include 54 individual resident submissions, three pro formas each with 14, 13 and five resident signatures and two submissions from public authorities. Issues raised include building heights, traffic, vehicular access and car parking, heritage and local character. These are discussed in the body of the report and a full summary is at Attachment F.

The proponent, TOGA, undertook additional community consultation, facilitated by Elton Consulting, throughout October 2017, allowing people to understand the proposal, ask questions and share feedback through their website (surryhillsshoppingvillageproposal.com.au). Positive feedback includes reactivating the streets, amount of retail services, complementing the heritage item and positive impact on the surrounding streetscape. Concerns raised include increased building heights, increased traffic congestion and creating a precedent for more development within the local area. A summary of the consultation is provided at Attachment G.

A number of post exhibition changes have been made to the planning proposal and draft DCP, having regard to public exhibition submissions and further internal consideration by the City.

If approved, the City will request Parliamentary Counsel to commence the preparation of the local environmental plan amendment. The local environmental plan will come into effect when it is published on the NSW Legislation website. The development control plan will come into effect at the same time.

RECOMMENDATION

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition and public authority consultation of *Planning Proposal: Sydney Local Environmental Plan – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern, Sydney Development Control Plan 2012 – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern*, and draft planning agreement, as shown at Attachment F to the subject report;

- (B) the Central Sydney Planning Committee approve *Planning Proposal: Sydney Local Environmental Plan – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern*, as shown at Attachment A to the subject report, to be made as a local environmental plan under section 59 of the *Environmental Planning and Assessment Act 1979*;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 27 November 2017 that Council approve the revised *Sydney Development Control Plan 2012 – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern*, as shown at Attachment B to the subject report, specifying the date of publication of the subject Local Environmental Plan as the date the approved Development Control Plan comes into effect, in accordance with Clause 21 of the *Environmental Planning and Assessment Regulation 2000*;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 27 November 2017 that Council delegate authority to the Chief Executive Officer to make any minor variations to *Planning Proposal: Sydney Local Environmental Plan – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern* and *Sydney Development Control Plan 2012 – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern* to correct drafting errors prior to finalisation of the local environmental plan;
- (E) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 27 November 2017 that Council note that the Planning Agreement, as shown at Attachment C to the subject report, is to be executed by the Chief Executive Officer on behalf of Council with the landowner, in accordance with the *Environmental Planning and Assessment Act 1979*; and
- (F) the Central Sydney Planning Committee note that the local environmental plan will not be made until the Planning Agreement, as shown at Attachment C, has been entered into by the Council and the relevant proponents, and registered on title of the relevant properties.

ATTACHMENTS

Attachment A: Planning Proposal: Sydney Local Environmental Plan – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern

Attachment B: Sydney Development Control Plan 2012 – 397-399 Cleveland Street and 2-38 Baptist Street, Redfern
(Note: A summary of DCP amendments is included in this attachment.)

Attachment C: Planning Agreement

Attachment D: Resolution of Council of 27 March 2017 and Resolution of the Central Sydney Planning Committee of 23 March 2017

Attachment E: Gateway Determination, 1 May 2017

Attachment F: Surry Hills Shopping Village Planning Proposal: Summary of submissions

Attachment G: TOGA's community engagement report

BACKGROUND

Purpose of this report

1. The purpose of this report is to seek the Central Sydney Planning Committee's approval of a planning proposal relating to 397-399 Cleveland Street and 2-38 Baptist Street, Redfern, referred to as the Surry Hills Shopping Village, following public exhibition and consequent review of the proposal. The planning proposal, at Attachment A, seeks to amend *Sydney Local Environmental Plan 2012* (LEP).
2. This report also recommends the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 27 November 2017 that Council approve *Sydney Development Control Plan 2012: 397-399 Cleveland Street and 2-38 Baptist Street, Redfern* (draft DCP) as amended following public exhibition, at Attachment B, for adoption once the LEP is published.
3. Council and the CSPC approved the planning proposal and draft DCP for public exhibition on 27 March 2017 and 23 March 2017, respectively. The Council and CSPC resolutions are at Attachment D. The Council also authorised that the Chief Executive Officer prepare a draft planning agreement based on the proponent's public benefit offer and that this be exhibited concurrently with the planning proposal and draft DCP.
4. The Department of Planning and Environment issued a gateway determination setting out the requirements for the public exhibition on 1 May 2017. The gateway determination is at Attachment E.
5. The planning proposal, draft DCP and draft planning agreement were publicly exhibited in accordance with the gateway determination from Tuesday 8 August 2017 to Monday 4 September 2017.
6. The City received 59 submissions made up of 54 individual resident submissions, three pro formas (with 14, 13 and five resident signatures) and two submissions from public authorities. A summary of all submissions, and the City's response, is at Attachment F. Key issues are discussed later in this report.
7. A number of post-exhibition changes are recommended to the planning proposal and draft DCP, responding to submissions and further internal consideration. These changes are discussed in this report.

Site details and context

8. The subject site is located at 397-399 Cleveland Street and 2-38 Baptist Street, Redfern, has a total area of approximately 12,244 square metres and is owned by Surry Hills Project Pty Ltd. The site is shown outlined blue in Figures 1 and 2.

Figure 1: Site location

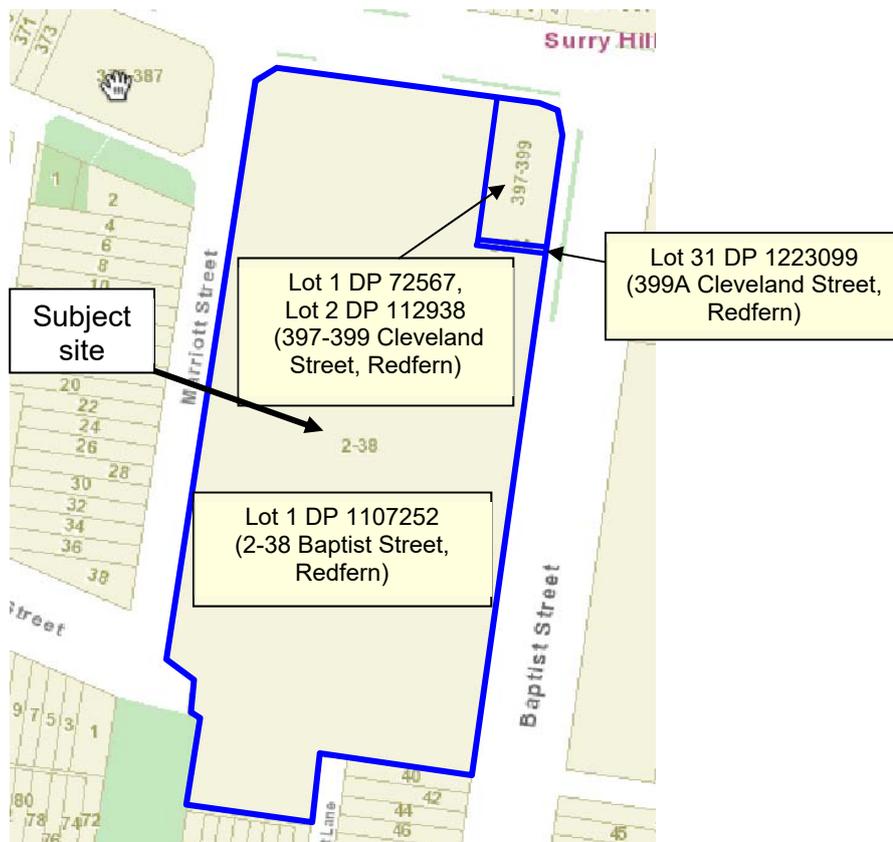


Figure 2: Aerial photo of site



9. Existing development accommodates a Coles supermarket, and specialty retail shops in a single storey building with outdoor at-grade retail car parking and loading. Vehicular access is from Baptist and Marriott Streets. As the site slopes from north to south, the south-western portion is prone to flooding.
10. The site is surrounded by a mixture of retail, business and residential uses in one to three storey buildings. A two storey heritage listed building that previously operated as a bank is located on the corner of Baptist and Cleveland Streets. The site is located within the Baptist Street Heritage Conservation Area.
11. The trade area served for the Surry Hills Shopping Village generally extends into Surry Hills, Redfern and Waterloo. It is in a highly accessible location which, together with increasing population demands for retail services, contributes to the success of the Surry Hills Shopping Village.
12. Transport connections include bus stops along Baptist and Cleveland Streets and Redfern and Central train stations located approximately 1.2 kilometres west and north-west. The future South East Light Rail Line will include a stop at the corner of Devonshire and Marlborough Streets, about 600 metres from the furthest point of the site.

Request to amend planning controls

13. In January 2016, the City received a request to prepare a planning proposal to amend the building height control to facilitate a new mixed use development. The request sought to change the building heights from 15 metres to 22 metres along Marriott and Cleveland Streets and 29 metres along Baptist Street. No change to the building height control was requested for the north-east and south-west portions of the site.
14. The change would facilitate a mixed use development comprising an enhanced supermarket, specialty retail shops and commercial premises with a floor space area of 8,000-9,000 square metres, around 170 residential dwellings and basement car parking.
15. The City identified a range of issues and worked collaboratively with the proponent to address them and develop an amended scheme.
16. The indicative concept which guided the preparation of the proposed planning controls is an evolution of the original concept submitted with the planning proposal request and responds to environmental considerations. It was subject to detailed testing to ensure that a built form outcome is capable of complying with the Apartment Design Guide and minimising impact to the existing low scale residences south and west. The indicative concept and the issues considered are discussed in detail in the planning proposal at Attachment A.

Exhibited controls

17. The proposed planning controls approved for exhibition by Council and the CSPC in March 2017 are described below.

The planning proposal

18. The planning proposal seeks to:
- (a) amend the Height of Buildings Map to change the building heights as follows:
 - (i) from 15 metres to 25 metres along Baptist Street;
 - (ii) from 15 metres to 22 metres along Cleveland Street;
 - (iii) from 15 metres to 18 metres along Marriott Street; and
 - (iv) from 12 metres to 3 metres on the south-western corner;
 - (b) amend the Heritage Map to remove the site from the Baptist Street Heritage Conservation Area.
 - (c) introduce two site-specific clauses so that:
 - (i) additional floor space cannot be awarded through the design excellence provisions of the LEP; and
 - (ii) additional building height awarded through design excellence is linked to the achievement of a BASIX energy and water score that exceeds the State-mandated minimum target by 5 points; and
 - (d) amend clause 4.6(8) to ensure that the floor space ratio control specified in the proposed site-specific clause may not be exceeded.

Draft DCP

19. The draft DCP contains site-specific provisions relating to location of land uses, active street frontages, building configuration, street wall heights, upper level setbacks, solar access, through site link, laneway, new open space, public footpath widening, vehicular access, acoustic amenity, sustainable design measures and a design excellence strategy.

Draft Planning Agreement

20. The draft planning agreement at Attachment C was exhibited with the planning proposal and draft DCP. The key public benefits secured are:
- (a) construction and dedication of new open space towards the south-west;
 - (b) construction and dedication of a new laneway towards the south;
 - (c) footpath widening along Marriott Street;
 - (d) sustainability measures where BASIX affected development is rated at least five points above the minimum State-mandated BASIX points for energy and water;
 - (e) 4 Star Green Star for the supermarket fit out including maximising greenhouse gas emission credits; and

- (f) community bus service to a local supermarket during construction.
21. The amendment to the proposed LEP will not be made until the planning agreement is registered on title.

Public exhibition

22. The planning proposal, draft DCP and draft planning agreement were exhibited from 8 August 2017 to 4 September 2017.
23. Relevant documents were made available for viewing at the One Stop Shop, the Redfern Neighbourhood Service Centre and on the 'Sydney Your Say' website. The City sent over 2,500 letters to landowners and residents to notify them of the public exhibition.
24. The exhibition was also advertised in The Sydney Morning Herald, the Wentworth Courier, Central Sydney magazine, and through the City's website and the 'Sydney Your Say' e-newsletter.
25. A total of 59 submissions were received in response to the exhibition. These comprise two submissions from public authorities, 54 individual resident submissions and three separate pro forma submissions, (each with 14, 13 and five signatures), through the 'Sydney Your Say' website.
26. Issues raised in submissions and the City's response are summarised at Attachment F, with discussion of key issues below.

Public authority submissions

27. Of the two submissions from public authorities, Roads and Maritime Services raised no objections, as the proposal does not result in changes to the existing floor space ratio. The other submission was made by the Office of Environment and Heritage (OEH) and is discussed below.

Office of Environment and Heritage

28. The OEH raises concern about removing the site from the Baptist Street Heritage Conservation area. They request it be retained to allow any new development to retain a nexus with the conservation area and become a contributory development.
29. Sydney DCP 2012 identifies the site as detracting (excluding the heritage building), which means it does not represent a key period of significance and detracts from the heritage conservation area's character. It is also inconsistent with the surrounding building stock and subdivision pattern. Given its size and future character, if the site was to remain within the Baptist Street Heritage Conservation Area it would weaken the integrity of the heritage conservation area. Redeveloping this detracting site will improve the relationship with neighbouring buildings through good design. The increased heights within this proposal may set an undesirable precedent and its removal from the Baptist Street Heritage Conservation Area is recommended.
30. A new development will not be able to become contributory, because it will never be from the significant period of development and will always be substantially different from the heritage buildings in the area. The former bank building continues to be protected by virtue of its heritage listing.

31. LEP Clause 5.10(5) and the proposed draft DCP controls will also ensure future development is sympathetically designed and configured to respond to the heritage characteristics of adjacent heritage buildings and the surrounding conservation area. Stepping building heights down from the north east to the south west, combined with a two storey street wall height and upper level setbacks, reduces bulk and scale and responds to the low scale, low density residential terraces to the south and west and heritage building in the north east corner.

Community submissions

32. The City reviewed another 54 submissions, of which 23 support redevelopment, however, raise concerns about the proposed controls. The main issues are discussed below and all submissions are addressed in Attachment F.

Building height

33. Thirty three (33) of the submissions object to the proposed building heights. Submitters are concerned about the impact on local amenity from increased bulk and scale. Submitters also stated building heights should be restricted to three to four storeys and additional height through design excellence is not appropriate.
34. The proposed building heights allow floor space to be redistributed to significantly improve public domain outcomes, including wider footpaths, new open space, through site links and the retail environment. The proposal also reduces overshadowing to neighbours to the south and supports Apartment Design Guide compliance.
35. The building scale is managed by stepping heights down from the north east to the south west, ensuring breaks between buildings and introducing two storey street wall heights and upper level setbacks. These measures ensure appropriate solar access to the public domain and reduce the sense of building bulk at street level. They also ensure overshadowing is minimised to existing residences to the south and west.
36. The current controls allow an extra 10 per cent height or floor space to be awarded through a design excellence process. The proposed controls maintain the design excellence process to ensure good design but only allow height to be awarded ensuring the existing 2:1 FSR can be achieved within the preferred built form.

Traffic, vehicular access and car parking

37. Submitters raise concerns about increasing traffic congestion, servicing vehicles exceeding the three tonne limit along Baptist Street, vehicular access and parking problems.
38. The planning proposal does not involve any change to the maximum floor space ratio. The proposal will not increase floor space, only the way floor space is distributed. A development under the current planning controls would have a similar effect on traffic and transport.

39. A traffic study examined the transport implications and concludes that traffic changes could be accommodated within the existing street system without the need for intersection upgrades, there is good access to other modes of transport and there is opportunity for sufficient car parking to be accommodated on the site. A more detailed traffic assessment will be undertaken as part of any future development application to determine traffic implications of the proposed development on the surrounding site.
40. The planning controls ensure impact to the local road network is minimised. The draft DCP includes a site specific car parking rate for retail uses to minimise vehicular traffic generated by a full range supermarket and specialty retail tenancies. Other parking requirements for residential, office or business land uses are established by existing LEP provisions and are not proposed to be changed.
41. Submitters raise a concern about the three tonne vehicle weight limit along Baptist Street. This limit only applies to through-traffic and not to vehicles with a destination on the street. Servicing vehicles over three tonnes are not restricted from accessing Baptist Street if their destination is on site. The proposed relocation of the loading dock from Marriott Street to Baptist Street significantly improves safety and amenity for quieter local residential streets to the west. The draft DCP also requires that the Baptist Street vehicular access width is minimised to maximise pedestrian footpath amenity and prioritise pedestrian safety via slower vehicle movements.

Heritage

42. Submitters are concerned that the proposal does not fit within the immediate heritage context and is not compatible with the heritage conservation area and heritage buildings. Submitters also stated that the site's inclusion in the Baptist Street Heritage Conversation Area should be preserved.
43. The site is identified as a detracting element within the conservation area. It does not represent a key period of significance and is inconsistent with the surrounding building stock and subdivision pattern. This issue is discussed above where it is recommended to remove the site from the Baptist Street Heritage Conservation Area.

Site Identity and Character

44. Submitters raise concerns about the identity and character of the area. Residents state their desire to live in the area is associated with its low rise character, which will be affected by this proposal.
45. The proposed planning controls will allow a development that positively contributes to and reinforces the character and identity of the area. The site is zoned B2 Local Centre that permits a range of retail, business, entertainment, community and residential uses.

46. The proposed controls support an improved retail offering, built form and public domain improvements. The two storey street wall height, upper level setbacks, building separation and stepping of heights responds to local character. The provision of open space in the south west, footpath widening along Marriott Street, and a laneway towards the south will positively contribute towards the amenity of the streetscape and, subsequently, the character of the area. A retail activated pedestrian through site link towards the north will also help create a vibrant retail environment that reinvigorates this area of Redfern and Surry Hills.

Further public consultation

47. The proponent, TOGA, undertook additional community consultation, facilitated by Elton Consulting, throughout October 2017 allowing people to understand the proposal, ask questions and share feedback. The consultation included neighbours, centre users and the wider local Redfern and Surry Hills community. It involved a letter drop to 8,500 residents, four pop-up information sessions and interviewing 170 patrons on or near the site and creating a website (surryhillsshoppingvillageproposal.com.au), which provides an animation of the proposal and an opportunity to provide feedback. A summary of the consultation is provided at Attachment G.
48. Analysis of feedback found that over 85 per cent of people interviewed provided positive comments. Positive aspects of the proposal include reactivating the streets, good amount of retail services, complementing the heritage item and positive impact on the surrounding streetscape. Concerns include increased building heights, increased traffic congestion and creating a precedent for more development within the local area.

Post exhibition changes

49. A review of the planning proposal and draft DCP was undertaken following submissions and further internal consideration. This review has resulted in some recommended changes to the planning proposal and draft DCP. These are discussed below.

Planning proposal

50. The recommended changes to the planning proposal are shown at Attachment A, with deleted wording shown with ~~strikethrough~~, additional wording shown in **bold**.
51. Recommended changes in response to internal review include introducing RLs on the Height of Buildings Map and an associated site-specific control for the through site link to:
- (a) ensure it is designed and constructed to optimise visual and physical access from Baptist and Marriott Streets and appear like an extension of the public domain; and
 - (b) ensure no buildings can encroach above the through site link or intrude into its airspace.

52. Other changes include deleting the site specific clause under 4.6(8), which states the maximum floor space ratio on the site may not be exceeded. Further analysis undertaken by the City demonstrates that a non-residential building fronting Cleveland Street could also deliver an appropriate land use and built form outcome. Removing Clause 4.6(8) will provide the flexibility to deliver a non-residential building, which is a less sensitive use requiring larger floor plates and higher floor to ceiling heights.
53. In addition to the above changes, the planning proposal has been updated to include an update to the project timeline.

DCP amendment

54. The recommended changes to the draft DCP are shown at Attachment B, with deleted wording shown with ~~strike through~~, additional wording shown in **bold** and deleted figures amended and replaced. There is also a summary justifying each recommended change.
55. The majority of changes clarify the purpose of and improve legibility of the controls and figures and correct minor typographical errors. Notable changes that influence the built form outcome are discussed below.

Building fronting Cleveland Street

56. Controls have been introduced to allow land use flexibility for the building fronting Cleveland Street. The exhibited draft DCP illustrates a mixed use building fronting Cleveland Street with non-residential uses on the first two levels and residential dwellings above. The residential component of the building envelope was exhibited with a 12 metre depth to ensure amenity for future residents and the through site link.
57. The revised DCP controls support a non-residential building in this location only if:
 - (a) the whole building will be used for non-residential purposes; and
 - (b) there is no additional overshadowing to the through site link between 31 August and 14 April when compared with the single loaded residential envelope indicated in Figure 6.XX – Building heights (storeys), setbacks and sections; and
 - (c) a two storey street wall height is provided.
58. If a non-residential building fronting Cleveland Street is pursued, the amenity of the through site link will be maintained and the two storey street wall height is preserved to complement the two storey heritage building.

Through site link

59. A new figure and associated controls have been introduced to guide the design of the through site link. The through site link is to have a slight slope down from east to west to satisfy the proposed height plane control under the LEP. The controls ensure stairways are minimised at the western entrance to promote visual and physical connections between Marriott Street and Baptist Street. The through site link will also appear as an extension of the public domain, which will improve streetscape amenity and help attract greater patron usage.

Developable area

60. A new plan at Figure 6.XX – Dedications, easements and landscape setbacks is introduced to help understand how future development will be influenced by land dedications, easements and street level setbacks. The plan requires the area identified for the southern laneway, open space and footpath widening to be dedicated to Council. The land to be dedicated reflects the requirements detailed in the draft planning agreement. The plan also describes widths for the through site link, connection from Cleveland Street to the through site link, and the minimum landscape setback requirements along Marriott Street and the southern laneway. This information delivers greater clarity as to the extent of the developable site area and the development outcome.

Location of land uses

61. An amendment is recommended to clarify the location of land uses. Due to the slope of the land from Cleveland Street down towards the proposed rear lane, the location of the supermarket compared to the small scale retail and residential uses was not clear. Three land use plans are introduced to illustrate the location of land uses below ground, at street level and on the second storey. Identifying the location of land uses on these levels ensures appropriate street activation towards the north and at street level along Baptist Street, while maintaining amenity for the low density residential uses south and west.

KEY IMPLICATIONS**Strategic Alignment – draft *Eastern City District Plan***

62. In October 2017, the Greater Sydney Commission released for public exhibition the draft District Plans for the Greater Sydney Metropolitan Region. The District Plans set out how the draft *Greater Sydney Region Plan* applies to local areas.
63. The City of Sydney is in the Eastern City District. The draft *Eastern City District Plan* includes 20 year targets for housing and jobs, specifically:
- (a) a short term (5 years) housing target of 46,550 new dwellings, with 18,300 dwellings to be delivered in the City of Sydney local area;
 - (b) a 2036 target for 157,500 dwellings; and
 - (c) a 2036 lower end ‘baseline’ target for 662,000 jobs and an upper end ‘higher’ aspirational target of 732,000 jobs, respectively.
64. The draft *Eastern City District Plan* sets priorities and actions for “Liveability”, “Productivity” and “Sustainability”, which will directly inform the planning, growth and development of Sydney over the next 20 years.

65. The planning proposal supports the targets for the Eastern City District. At a local scale, the proposed development concept satisfies the objective of a 30-minute city, as it will include access to local employment opportunities, retail shops and public open space areas. This planning proposal will provide around 170 new residential dwellings to support the vitality of the B2 Local Centre zone. It will also contribute towards the creation of great places, as it enhances local walking and cycling connections. A variety of sustainability benchmarks for retail, commercial and residential uses are required, together with measures to allow for the establishment of an urban tree canopy that improves streetscape amenity.

Strategic Alignment - Sustainable Sydney 2030 Vision

66. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following SS2030 strategic directions and objectives:
- (a) Direction 2 – A Leading Environmental Performer: The proposed controls include a requirement that the residential component of development meets a BASIX score of 5 points above the NSW mandated minimum score for energy and water. In addition, the supermarket will achieve a 4 Star Green Star rating, including maximising greenhouse gas emission credits. This will reduce energy and water consumption of future development, and directly contribute towards the City's target of reducing gas emissions by 70 per cent by 2030.
 - (b) Direction 3 - Integrated Transport for a Connected City: Redevelopment of the site for a mixed use development will benefit from current and future transport services. In addition to existing bus services, the future South East Light Rail currently under construction will include a stop approximately 600 metres north of the site. It will connect Circular Quay to Randwick and Kingsford.
 - (c) Direction 4 - A City for Walking and Cycling: Redevelopment of the site will encourage more walking by introducing a new pedestrian through site link, new laneway towards the south and footpath widening along Marriott Street This will increase pedestrian amenity, permeability and connectivity in the area. The provision of improved local retail services will also encourage more trips by walking and reduce the need to travel outside the local area by private vehicles.
 - (d) Direction 6 - Vibrant Local Communities and Economies: Future development will improve the quality of retail and commercial services and enhance the Crown Street and Cleveland Street retail areas. It will also result in more employment opportunities than currently exist. The site is well positioned in close proximity to social infrastructure, including education, child care, cultural and recreational facilities.
 - (e) Direction 8 - Housing for a Diverse Population: The proposed development concept includes around 170 dwellings made up of a diverse range of apartment sizes catering for the needs of the growing and diverse population. The residential apartments will be situated close to public transport, employment opportunities and services and facilities.

- (f) Direction 9 - Sustainable Development, Renewal and Design: The proposed planning controls are based on principles for sustainable development, including ensuring that built form delivers high levels of amenity for future residents. The design excellence provisions of Sydney LEP 2012 will continue to apply to the site, ensuring a high quality architectural outcome.

RELEVANT LEGISLATION

67. *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.*

CRITICAL DATES / TIME FRAMES

68. The gateway determination requires that the amendment to Sydney LEP 2012 is completed by 1 May 2018.
69. To improve the plan-making timeframe, the then Minister for Planning delegated his plan making powers under section 59 of the *Environmental Planning and Assessment Act 1979* to Council in December 2012.
70. The gateway determination authorises Council to exercise this delegation and liaise directly with Parliamentary Counsel to draft and make the local environmental plan. If the planning proposal is approved by Council and the CSPC, the City will commence this process. Once this process is complete and the plan is made, the amendment to Sydney LEP 2012 will come into effect when published on the NSW Legislation website.
71. If approved by Council, the revised DCP will come into effect on the same day as the amendment to the LEP.

PUBLIC CONSULTATION

72. The planning proposal, draft DCP and draft planning agreement were publicly exhibited from 8 August 2017 until 4 September 2017 in accordance with the gateway determination. Exhibition documents were made available for viewing on the *City of Sydney* website, and at the One Stop Shop at Town Hall House and the Redfern Neighbourhood Service Centre.
73. Written notification to landowners in the vicinity of the area provided information on how to view the relevant documentation. The Roads and Maritime Services and the OEH were also consulted on the planning proposal and supporting documentation in accordance with the gateway determination.
74. A discussion regarding the submissions received is provided earlier in this report. A summary of the all issues raised by residents and public authorities and how the planning proposal addresses each issue is provided at Attachment F.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

(Christina Heather, Specialist Planner)