

## Relevant Information for Council

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**FILE:** X011236 **DATE:** 26 June 2020

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn AM, Director City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 9.4 – Public Exhibition – Planning Proposal – 600-660 Elizabeth Street, Redfern - Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide

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### Alternative Recommendation

It is resolved that:

- (A) Council approve the Planning Proposal – 600-660 Elizabeth Street, Redfern, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination, **subject to the following amendments: (additions shown in bold italics, deletions shown in strikethrough):**

In the Planning Proposal –

Section 2.5 on page 18, amend the following text:

The revised reference scheme allocates 3,500 square metres of land on the corner of Elizabeth Street and Kettle Street for community facilities. Demolition of the existing PCYC on the site is not to commence until after ~~the new PCYC has received a full occupation certificate or~~ arrangements have been made for the community facilities to be secured **on site or** elsewhere in the locality.

Section 3 on page 19, amend the following text (along with associated relevant changes throughout the Planning Proposal):

Insert a site-specific local clause for community facilities, affordable **and social** housing, BASIX, and overshadowing. The proposed site-specific provision will facilitate:

- a. A bonus FSR is available if land for community facilities is provided in the development or if arrangements are made by the land owner to provide community facilities elsewhere in the locality.
  - b. A bonus FSR is available if the development exceeds BASIX commitments for water and energy.
  - c. Any development must include at least 10% of total floor area, used for the purposes of residential development, being used for the purposes of affordable housing.
  - d1. Any development must include at least 30% of total floor area, used for the purposes of residential development, being used for the purposes as social housing premises.**
  - d2. In this clause, social housing premises has the same meaning as in the Residential Tenancies Act 2010.**
  - ~~d.e.~~ Any development on the site must not overshadow Redfern Park and Oval between 9.00-15.00.
  - ~~e.f.~~ The consent authority must not consent to development of the site unless it is satisfied the redevelopment has taken into consideration any guidelines adopted by the City of Sydney (Note– clause only required if Department does not confirm that the development will be assessed as local development).
- (B) Council approve the Planning Proposal – 600-660 Elizabeth Street, Redfern, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority of all functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal – 600-660 Elizabeth Street, Redfern;

- (D) Council approve the draft Design Guide – 600-660 Elizabeth Street, Redfern shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal, **subject to the following amendments: (additions shown in bold italics, deletions shown in strikethrough):**

In the draft Design Guide (or draft DCP) Section 2.1 Desired Future Character Statement on page 4, amend the following text:

Objective

The primary objective of the Guideline is to create development consistent with the following desired future character statement.

The future development has:

- (a) substantial social and affordable housing occupying the land
- (b) a **3,500sqm PCYC or similar** community facility on site, or has facilitated the delivery of a ~~minimum 3500sqm PCYC or similar~~ community facility in the locality
- (c) very high levels of environmental performance....[continues as per the draft]

(D) In the draft Design Guide (or draft DCP) Section 3.3 Uses and Flooding

Objectives

[as per draft]

Guidance

(1) A ~~3500sqm-PCYC or similar~~ community facility is to be provided predominately located with Development Section 1A, as shown in blue in Figure 4: Community Facility Predominant Location with frontages to Elizabeth and Kettle Streets and **may making make** use of the pedestrian part of Kettle Street. Alternatively, the community facility may be provided on land not subject to the Guide. The consent authority **or delegate must be satisfied that suitable arrangements have been made for the replacement of the PCYC or similar community facility on site or in the locality prior to approval for its demolition. not grant development consent until a site, development consent and funding are committed for the community facility that will replace the PCYC on site. Demolition of the existing PCYC on the site is not to commence until after the new PCYC has been built and received any occupation certificate.**

(2) The functional brief for the community facility must be **agreed by developed with** the City of Sydney in consultation with the PCYC.

- (E) authority be delegated to the Chief Executive Officer to translate the draft Design Guide – 600-660 Elizabeth Street, Redfern shown at Attachment B to the subject report to a draft Development Control Plan and approve for public authority consultation and public exhibition together with the Planning Proposal (should future development application(s) for the site be delegated to the City); and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 600-660 Elizabeth Street, Redfern and the draft Design Guide (or site-specific Development Control Plan) – 600-660 Elizabeth Street, Redfern, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

## **Background**

This memo provides additional information to the Council following further internal discussions regarding the PCYC (or similar community facility) and the desire to fast track the development for more rental social and affordable housing. The report to Council and the draft planning proposal are clear in their intent for the planning proposal to facilitate 30% social housing and an additional 10% affordable housing onsite (the remainder market) consistent with LAHC's Communities Plus 70:30 model and Greater Sydney Commission and City's affordable rental housing targets.

The proposed amendment to reference the requirement for 30% social housing in addition to the 10% affordable housing will provide certainty to the community and the site's future developer about the City's expectations in regard to future development.

The level of detail provided in the Design Guide (or draft DCP) satisfies the requirement for a site-specific DCP (Stage 1 DA) in the event that the future DA(s) is delegated to the City where Stage 1 DA would be required for a site of this size. By satisfying the requirement for a Stage 1 DA within the planning proposal package, the site can be fast-tracked for the delivery of additional social and affordable housing by going to straight to a detailed DA.

The intention of some of the proposed clauses contained in the report for the draft Planning Proposal and draft Design Guide were to protect the PCYC or similar community facility given that no firm arrangements have been made to date to ensure continuity of function, and in view of approximately 3500sqm of land currently zoned SP2 is proposed to be rezoned residential. The proposed envelopes and clauses in the draft Design Guide (or DCP) allow the PCYC to remain at Redfern or potentially relocate to another site such as Waterloo.

The LAHC Redfern rezoning has been fast-tracked by the City because of the urgent need for more social and affordable housing in Sydney. The construction of the clauses relating to the PCYC in the draft Planning Proposal and the draft Design Guide could be more simply worded to allow for fast track delivery. The intent of making suitable arrangements for the PCYC remain, but the detail requirements as originally suggested, are proposed to be modified to give more flexibility and efficiency in delivery.

The reference to 3500sqm in the package refers to maintaining the PCYC land area until suitable arrangements are made for a new facility. It is not to be confused with 3500sqm of GFA which may have been implied by the draft wording in Section 3.3. It is recommended that the area be deleted where indicated above.

Prepared by: Graham Jahn AM, Director City Planning, Development and Transport

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Approved

A handwritten signature in black ink, appearing to be 'GJahn', written over a horizontal line.

**GRAHAM JAHN AM**

Director City Planning, Development and  
Transport