

Attachment A

Planning Proposal



Planning Proposal 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe

Amendment to Sydney Local Environmental Plan 2012

July 2020

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Executive summary

The City of Sydney (the City) has prepared this planning proposal to change the planning controls for the land at 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe (the site), in response to a request from the owner NSW Land and Housing Corporation, for the City to prepare a planning proposal for the site.

This planning proposal explains the intent of and justification for proposed amendments to the Sydney Local Environmental Plan 2012 (LEP) as it applies to the site. This planning proposal has been prepared by the City in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Industry and Environment's 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans.'

The site is approximately 1,789 square metres in area and is bound by Wentworth Park Road, Cowper Street, Wentworth Street and Mitchell Lane. In this planning proposal 2A-2D Wentworth Park Road is referred to as the "north site" and 17-31 Cowper Street is referred to as the "south site". The north and south sites are separated by Park Lane. The entire site currently provides 19 social housing dwellings in two storey townhouse/villa style development.

Under the Sydney Local Environmental Plan 2012, the site is zoned R1 General Residential, has a maximum building height of 9 metres and maximum floor space ratio of 1.25:1. The site's zoning permits residential uses, community facilities, neighbourhood shops and childcare centres.

The City has prepared this planning proposal following a detailed review of the proponent's planning proposal request and accompanying documentation. Clarification has been sought from the landowner and minor changes have been made to consultant reports to address issues relating to urban design, including clarification of solar access to adjoining properties.

This planning proposal seeks to amend the Sydney LEP 2012 to:

- Increase the maximum building height to RL 36 (approx. 8 storeys) for both north and south sites;
- Increase the floor space ratio to 4.3:1 on the north site and 3.1:1 on the south site;
- Remove the site from the Heritage Conservation Area;
- Introduce a site-specific provision to require the northern site to be used for social housing;
- Introduce a site-specific provision to require BASIX energy exceedance; and
- Introduce a site-specific provision to remove the capacity to award of additional building height or floor space and the requirement for a design excellence competitive process. The other design excellence requirements of cl 6.21 of the Sydney LEP 2012 will continue to apply.

This planning proposal presents an opportunity to optimise NSW Government owned land to deliver new social housing on a site that is accessible to a range of public transport infrastructure, jobs and services which is consistent with the NSW Governments policy intent of a 30-minute city.

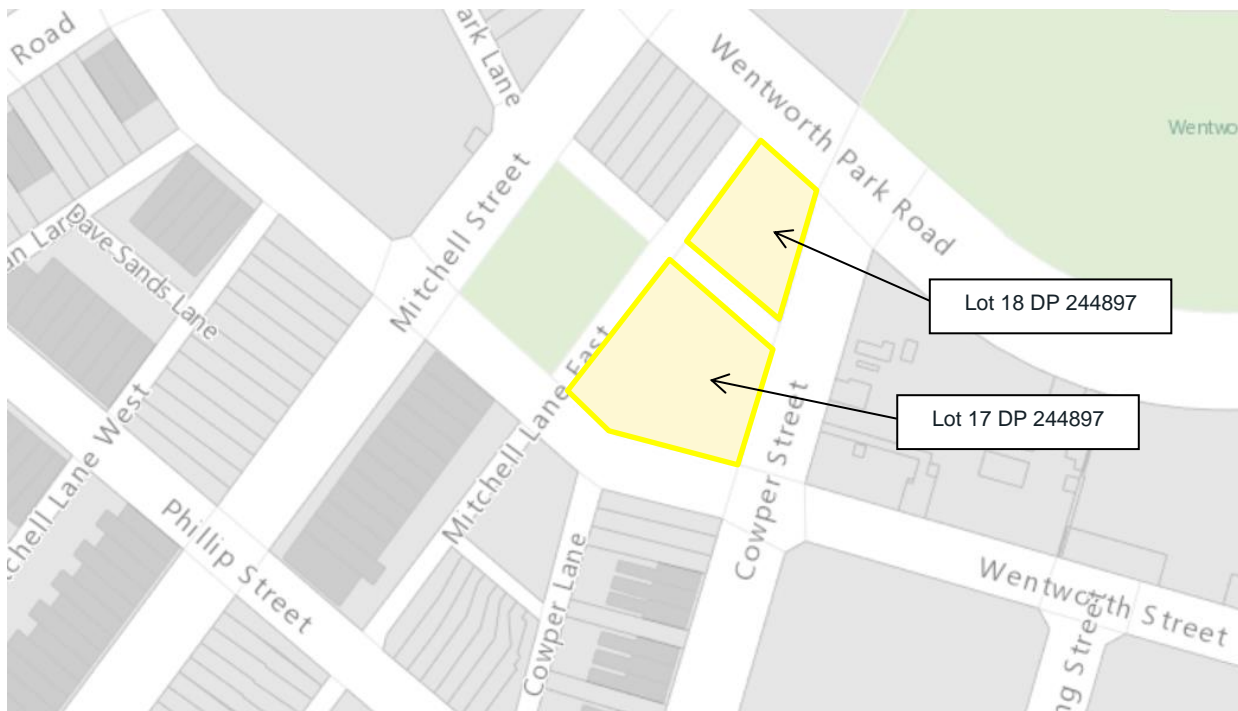
The City has prepared a draft site-specific amendment to Sydney Development Control Plan 2012 (the draft DCP) to help ensure the objectives and intended outcomes of this planning proposal are achieved. The draft DCP includes site-specific controls relating to the built form of the proposed development, amenity requirements and sustainability and is equivalent to a site-specific DCP (in the instance where subsequent DAs are local development). The City intends to publicly exhibit this planning proposal concurrently with the draft DCP.

1. Site identification

1.1. Site identification

The site consists of two lots described as Lot 17 DP 244897, known as 17-31 Cowper Street and Lot 18 DP 244897, known as 2A-2D Wentworth Park Road, Glebe.

Figure 1. Land affected by this planning proposal



1.2. Site location

The site is located in Glebe in the City of Sydney. Wentworth Park is located to the north of the site and a small pocket park, MJ Doherty Reserve, is located to the west. The site is within walking distance of services, facilities and transport including the Inner West Light Rail, high frequency bus services on Parramatta Road, Broadway Shopping Centre, Glebe Point Road, extensive open space and local schools.

The site has four road frontages: Wentworth Park Road to the north, Cowper Street to the east and Wentworth Street to the south and Mitchell Lane East to the west. The site is dissected by Park Lane. A site location plan and aerial photo of the site are shown at Figures 2 and 3.

Figure 2. Site location



Figure 3. Aerial photo of the site



1.3. Site characteristics and context

The sites are generally rectangular in shape. The area of the north site is 625.7 square metres and the south site is 1,162.8 square metres, which equates to a total site area of 1,788.5 square metres. The site is owned by NSW Land and Housing Corporation.

Existing development consists of 19 social housing dwellings. The northern site comprises 4 two-storey terrace houses. The south site comprises a two-storey block of 15 one-bedroom units. All buildings on the site were constructed as a result of the Glebe Rehabilitation Project in the late 1980s.

The site is located on the north-east boundary of the St Phillips Heritage Conservation Area. The surrounding context consists of residential development to the east, south and west and Wentworth Park to the north.

The land to the east of the site has undergone significant redevelopment in recent years through LAHC affordable housing projects and the Mezzo development fronting Wentworth Park Road. These redevelopments have resulted in a mix of commercial uses, social, affordable and market dwellings in mixed use buildings up to 12 storeys with ground floor commercial uses.

The land to the south and west of the site is typical of Glebe's fine-grain network of streets and lanes that is characterised by single storey terraces in relatively narrow streets with many street trees.

Open space facilities in the area include Wentworth Park immediately north of the site, MJ Doherty Reserve immediately west of the site. Wentworth Park also connects to the Glebe Foreshore Walk.

The site is 750 metres from the Wentworth Park Light Rail stop and 800 metres from the Glebe light rail stop on the Inner West Light Rail. The site is 700 metres from high frequency bus services on Parramatta Road that provide access to the Sydney Central Business District and the heavy rail network.

Broadway Shopping Centre is within 600 metres of the site and is a large subregional shopping centre providing access to a range of retail and other services. Parts of the Glebe Point Road retail strip are also within 500-600 metres of the site, which provides smaller independent retail and food options.

The site is within close proximity of Glebe Public School (600 metres) and Ultimo Public School (400 metres) which is currently undergoing redevelopment for a new school to be completed in 2020. A temporary school is currently located within Wentworth Park.

Figures 4 to 7 show existing development on the site. The surrounding area is shown in Figures 8 and 12.

Figure 4. 2A - 2D Wentworth Park Road



Figure 5. Rear of 2A - 2D Wentworth Park Road from Cowper Street



Figure 6. 17 - 31 Cowper Street (corner of Wentworth Street)



Figure 7. Internal courtyard at 17-31 Cowper Street



Figure 8. View north along Mitchell Lane East



Figure 9. Park Lane (separating north and south sites)



Figure 10. View south along Cowper Street



Figure 11. M.J. Doherty Reserve from Wentworth Street



Figure 12. View to Wentworth Park from 2A-2D Wentworth Park Road



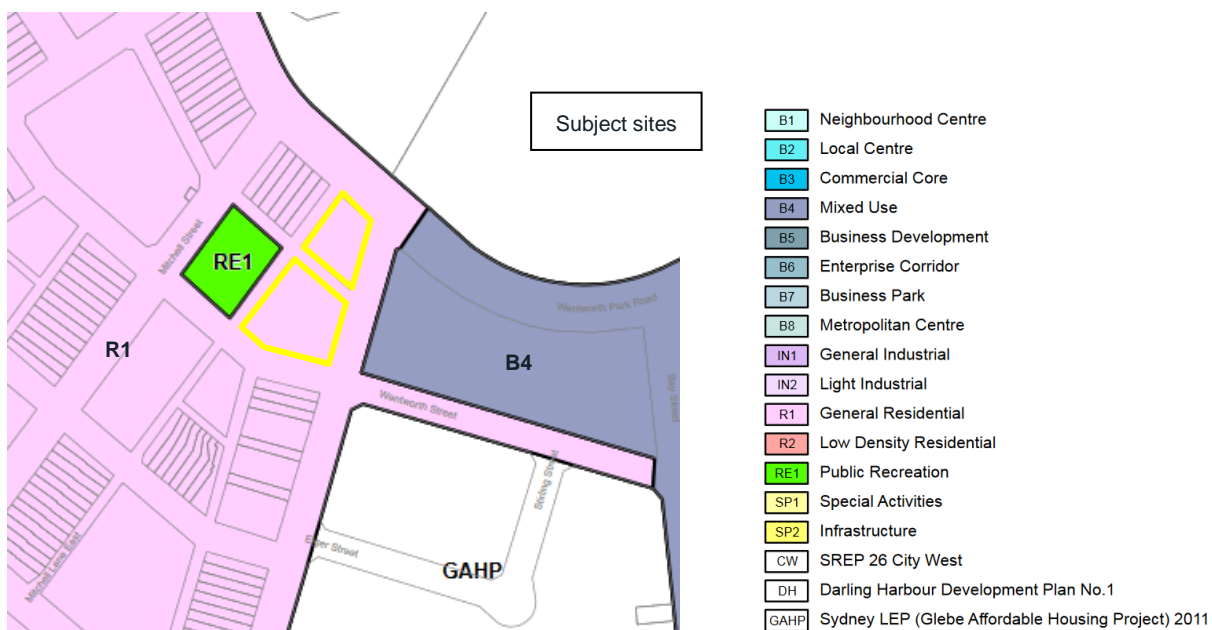
2. Existing planning controls

The LEP contains zoning and principal development standards for the site. These are discussed below. The Sydney Local Environmental Plan 2012 (LEP) and Sydney Development Control Plan 2012 (DCP) apply to the site.

2.1. Zoning

The site is currently R1 General Residential under the Sydney LEP 2012, as shown in the extract at Figure 14. This planning proposal does not seek to change the site's existing zoning.

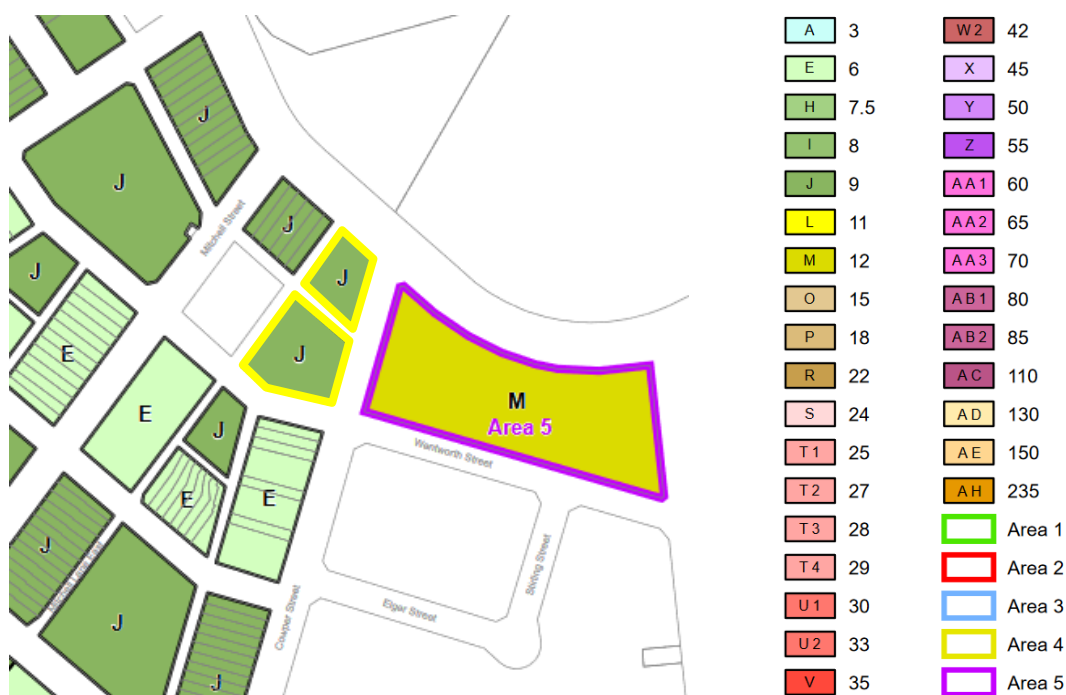
Figure 14. Extract from Sydney LEP 2012 Zoning Map



2.2. Building height

The Sydney LEP 2012 applies a maximum building height of 9 metres to the site. An extract of the relevant Height of Buildings Map from the LEP is shown in Figure 15. This planning proposal seeks to change the site's existing building height.

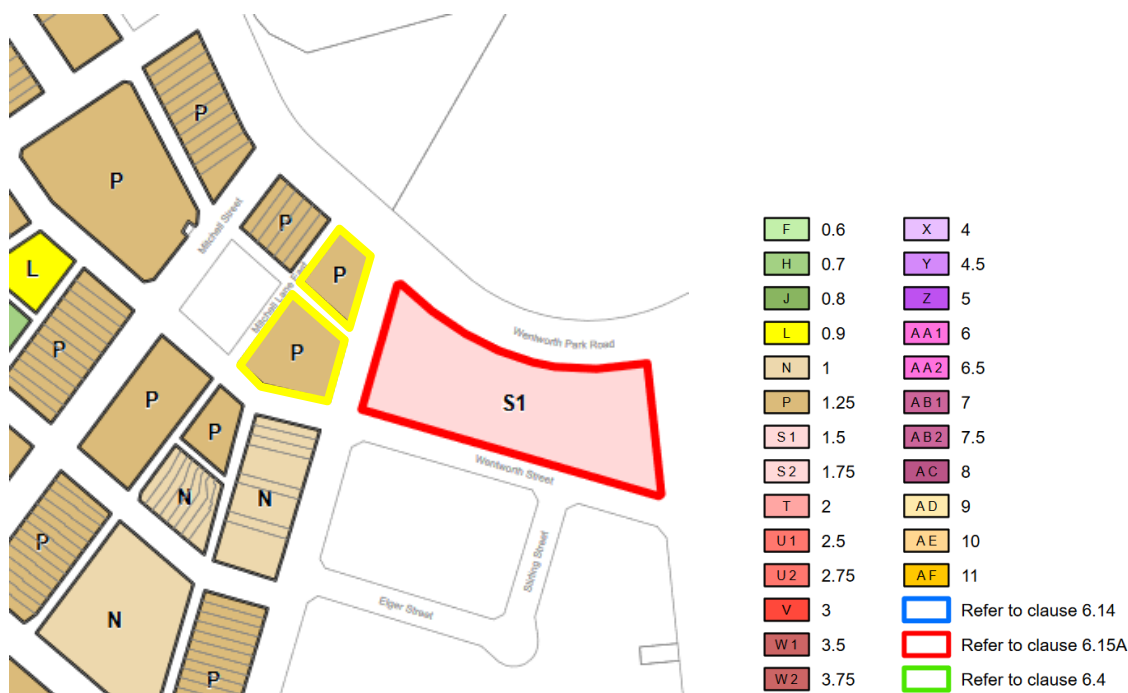
Figure 15. Extract from Sydney LEP 2012 Building Height Map



2.3. Floor Space Ratio

The Sydney LEP 2012 applies a maximum Floor Space Ratio (FSR) of 1.25:1 to the site. An extract of the relevant Floor Space Ratio Map from the LEP is shown in Figure 16. This planning proposal seeks to change the site's existing FSR.

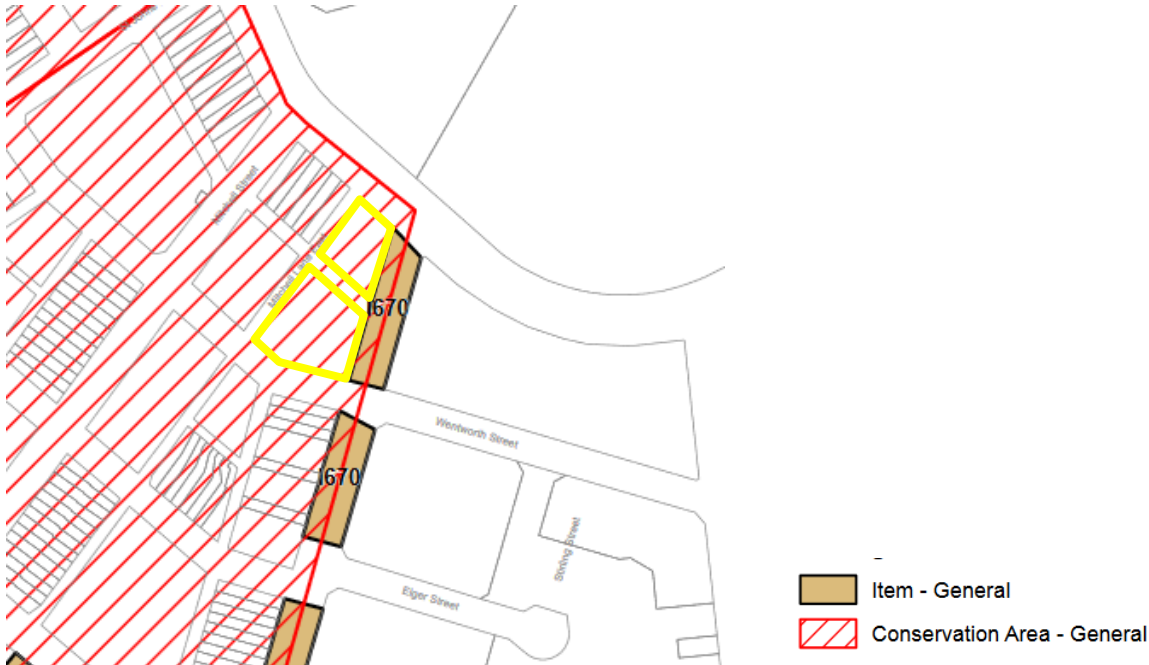
Figure 16. Extract from Sydney LEP 2012 Floor Space Ratio Map



2.4. Heritage

This site is not a heritage item but is within a Heritage Conservation Area. An extract of the relevant Heritage Map from the Sydney LEP 2012 is shown in Figure 17.

Figure 17. Extract from Sydney LEP 2012 Heritage Map



2.5. Planning proposal request

In November 2019, the Minister for Planning and Public Spaces announced a new approach to precinct planning. As a result, NSW LAHC sites previously announced as an SSP would now be considered through a local planning process with a request to amend Sydney LEP 2012.

In late 2019 and early 2020, NSW LAHC met with the City on several occasions to discuss potential amendments to the planning controls for the site. The City has worked extensively with the landowner and their consultant team to explore potential built form outcomes. The pre-lodgement consultation resulted in a number of changes to the proposal including:

- Increased setbacks along Cowper Street to ensure retention of street trees;
- Deletion of warehouse style building at the south west Corner of the South Site to enable retention of the Spotted Gum tree;
- Reduced floor plate area as a result of the increased setbacks reducing the overall building bulk and reducing overshadowing of adjacent dwellings;
- Additional storey added to offset the loss of floor area due to the reduced floor plate;
- Relocation of the non-residential use from the south site to the north site to provide a more prominent street address to Wentworth Park Road and to allow co-location with the social housing; and
- Increase in number of potential social housing dwellings.

On 22 May 2020, the landowner submitted a planning proposal request to the City of Sydney. The request included a Design Report and a number of technical studies. The City has prepared this planning proposal following consideration of the request.

The request sought to amend the Sydney LEP 2012 to increase the maximum building height control from the current 9 metres to a height of RL 36 (approx. 8 storeys), introduce a maximum

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floor space ratio of 4.3:1 (north site) and 3.1:1 (south site), remove the site from the St Phillips heritage conservation area and a draft site-specific provision requiring a minimum percentage of social or affordable housing and removing the need for a competitive design competition.

It is noted that LAHC conducted a tender/competitive design process in partnership with the Government Architect NSW in relation to the site in 2019. As part of this process four competitors were invited to prepare design proposals for the site. The tender/design competition process was conducted generally in accordance with the City of Sydney's competitive design alternatives process. The tender component of the process was not the determining criteria in the selection of the preferred design proposal.

The proposed controls facilitate development of approximately 74 apartments, up to 235 square metres of non-residential floor space for social purposes and 40 square metres of commercial or retail space on the corner of Cowper and Wentworth Streets.

Following lodgement, the landowner's request was reviewed internally by the City. The City's Arboriculture, Sustainability, Transport and Urban Design Units, amongst others reviewed the proposal and suggested additional information and amendments.

A draft DCP, to be exhibited concurrently with this planning proposal, contains more detailed site-specific provisions.

3. Objectives and intended outcomes

This planning proposal will enable the redevelopment of the site to:

- Deliver a high-quality development which provides for increased social housing and private housing, as well as non-residential uses facing Wentworth Park;
- Deliver local social, retail or commercial uses;
- Deliver a built form which responds to the surrounding context including the adjacent MJ Doherty Reserve and recent development to the east of the site;
- Protect the heritage values of the local area by retaining and protecting heritage street trees and respecting the heritage values of the St Phillips Heritage Conservation Area;
- Retain the amenity of the surrounding residential uses by ensuring an adequate level of solar access and privacy is maintained;
- Maintain the amenity of adjoining streets and parks by ensuring street trees are protected and ensuring no overshadowing of the adjacent parks;
- Provide for enhanced passive surveillance and activation of the adjacent open space and public domain; and
- Deliver a sustainable outcome through identification of sustainability targets.

The intended outcome is to facilitate the redevelopment of the site to provide much more and better social housing, consistent with the strategic directions in the NSW Government's *Future Directions for Social Housing*.

4. Explanation of provisions

To achieve the intended outcomes this planning proposal seeks to amend Sydney Local Environmental Plan 2012 as follows:

1. Amend the Height of Building Map Sheet 008 as shown at Part 5 of this planning proposal to increase the maximum building height to RL 36 (approx. 8 storeys).
2. Amend the Heritage Map Sheet 008 to remove the both sites from the St Phillips Heritage Conservation Area.
3. Amend clause 1.9 Application of SEPPs to ensure State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to the site which is subject to site-specific affordable housing outcomes.
4. Insert a site-specific local clause for additional floor space, affordable and social housing, BASIX and design excellence. The proposed site-specific provision will facilitate:
 - a. bonus FSR if 100% of the total floor area for the northern site, used for the purposes of residential development, is used for social housing
 - b. the bonus FSR is contingent on the development exceeding BASIX commitments for energy, and
 - c. the removal of the capacity to award additional building height or floor space for a design excellence competition as additional design competition is not required.

Example clauses

A draft of the intended amendments to the Sydney LEP 2012 is shown below. Additions are shown in ***bold italics***.

Clause 1.9 Application of SEPP

(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.

(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—

State Environmental Planning Policy No 1—Development Standards

(2A) State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to:

(a) land at Green Square or at Ultimo-Pyrmont, or

(b) southern employment land, or

(c) land at the Waterloo Metro Quarter, or

(d) land at 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe.

Division 5 Site Specific Provisions

Clause 6.XX 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe

(1) This clause applies to the following land at Glebe (subject land):

(a) 17-31 Cowper Street (Lot 17 DP 244897),

(b) 2A-2D Wentworth Park Road (Lot 18 DP 244897).

(2) Despite clause 4.4, the consent authority may grant development consent to development on the subject land to which this clause applies that will result in a building—

(a) with a maximum floor space ratio of 3.1:1 (Lot 17 DP 244897) and

(b) with a maximum floor space ratio of 4.3:1 (Lot 18 DP 244897).

(3) Development consent must not be granted under subclause (2) for development that results in less than 100% of the gross floor area of Lot 18 DP 244897, used for the purposes of residential accommodation, being used for the purposes of social housing.

The affordable housing will be provided by or on behalf of a public authority or social housing provider, within the meaning of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

(4) Development consent must only be granted under subclause (2) for development that exceeds the BASIX commitments for energy by not less than 5 points.

(5) Clause 6.21(7) does not apply to a building on land to which this clause applies.

5. Justification

This section is structured as follows:

- 5.1 – Proposed development outcome
- 5.2 – Proposed changes to, benefits of and managing impacts of increasing building height and floor space ratio controls
- 5.3 – Draft development control plan
- 5.4 – Need for the planning proposal
- 5.5 – Relationship to strategic planning framework
- 5.6 – Environmental, social and economic impact
- 5.7 – State and Commonwealth interests

5.1. Proposed development outcome

The City's vision for the development of the site is based on an assessment of the landowner's concept. The City has worked with the landowner to address issues and achieve improved outcomes consistent with the Request.

The proposed development concept (indicative reference scheme) includes redevelopment of the sites to accommodate new residential buildings and non-residential uses for a social purpose fronting Wentworth Park Road.

An indicative reference scheme has been prepared to support this planning proposal. The reference scheme demonstrates how the site could be developed under the proposed planning controls. The reference scheme has informed the proposed height and floor space ratio controls. Key elements of the proposed reference scheme are discussed in greater detail below.

Building height

This planning proposal seeks to introduce a maximum building height of RL 36 (approx. 8 storeys) on both sites. This will facilitate the delivery of new residential apartment buildings and 5 x 2 storey part attic terraces fronting Mitchell Lane East and MJ Doherty Reserve.

The building height along Cowper Street creates a consistent building scale to Mezzo development on the eastern side of Cowper Street and avoids overshadowing of the Reserve.

The terraces fronting Mitchell Lane East provide a more sensitive interface to the Reserve and the St Phillips heritage conservation area to the west and south of the site.

The ground level of the buildings on Cowper Street provides access to the buildings and the ground level fronting Wentworth Park Road will be activated by a non-residential facility used for a social purpose.

According to the reference scheme, the proposed building on the north site is setback 1.5 metres from the Cowper Street boundary and the proposed building on the south site is setback 3 metres from Cowper Street boundary. These setbacks ensure the solar access is maximised to the adjacent buildings and ensures minimal impact to the heritage listed street trees on Cowper Street.

Floor space ratio

This planning proposal seeks a floor space ratio (FSR) for the north site of 4.3:1 and an FSR of 3.1:1 on the south site. Floor space incentives will be available in a site-specific local clause based on the provisions of 100 percent social housing being delivered on the north site.

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The reference scheme demonstrates a design that utilises approximately 5,800 square metres of residential Gross Floor Area (GFA) and 235 square metres of non-residential GFA for a social purpose, and up to 40 square metres of GFA for commercial or retail space. The building layouts would achieve around 74 apartments with the following indicative dwelling mixes:

North site

- Studio: 2 (6%)
- 1 bedroom: 26 (74%)
- 2 bedroom: 7 (20%)

South site

- 1 bedroom: 14 (36%)
- 2 bedroom: 20 (51%)
- 3 bedroom: 5 (13%)

Compliance testing against the objectives of the Apartment Design Guide (ADG) standards suggests 80 percent of apartments achieving natural cross ventilation requirements and 80 percent (north site) and 82 percent (south site) of apartments achieving solar compliance. Ultimately, the final apartment layout would be determined at development application stage.

Figure 18. Indicative reference scheme from Wentworth Street looking east



Figure 19. Indicative reference scheme from Wentworth Park looking south along Cowper Street



Housing Diversity and Affordability

At a time when the wait list for social housing in NSW is almost 60,000 people, the demand for social housing has never been greater. Combined with a 5-10 year waiting period for social housing in this area, there is a critical need to deliver social housing on this site.

This planning proposal presents an opportunity to optimise NSW Government owned land to deliver new social housing on a site that is accessible to a range of public transport infrastructure, jobs and services consistent with the NSW Governments policy intent of a 30-minute city.

The Glebe Mid-Rise Project is being progressed by NSW Land and Housing Corporation (LAHC) to demonstrate how renewal of social housing can be delivered through the sensitive introduction of a mid-rise development into an established inner city urban environment, whilst providing contemporary housing including additional social and new market housing as part of a commercially viable development. The proposal will meet the significant identified demand for housing, including social housing, in the local area. This project is consistent with the NSW Government's *Future Directions for Social Housing* policy.

The proposed provision of social housing on site will provide good housing options for the area and the proposed provision of up to 100 percent of residential floor space dwellings on the north site as social housing is consistent with the Greater Sydney Commission's target in the Eastern City District Plan.

To ensure that the site meets the Greater Sydney Commission's affordable housing target, this planning proposal includes a site-specific clause in the LEP requiring 100 percent of residential GFA on the north site to be provided as social housing.

5.2. Proposed changes to, benefits of and managing impacts of increasing building height and floor space ratio controls

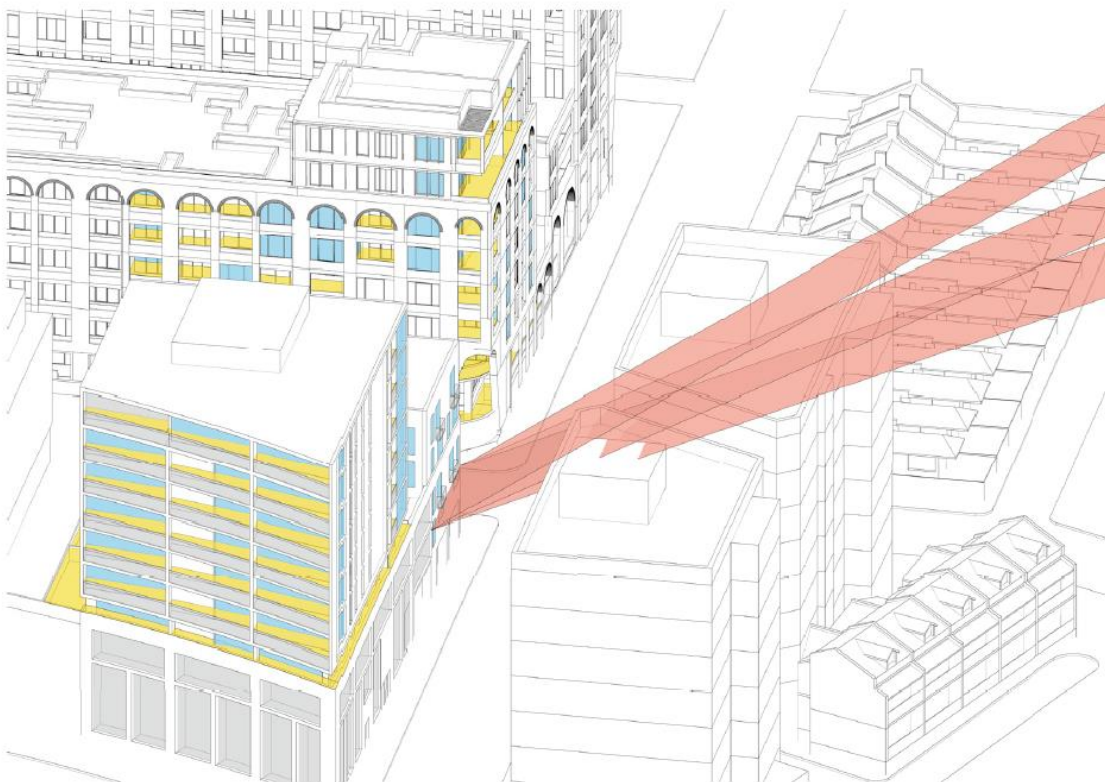
Solar access and overshadowing

The planning proposal seeks to minimise solar impacts to neighbouring properties on Cowper Street and Wentworth Street. The proposal is supported by an Urban Design Report that provides a detailed analysis of the overshadowing impacts of the development.

The indicative reference scheme demonstrates that built-form has been located to minimise overshadowing impacts on adjacent dwellings to the east of the subject site. This has been achieved by increasing setbacks along Cowper Street and changes to the building massing to reduce overshadowing on neighbouring properties.

The solar analysis in the urban design report demonstrates that there will be minimal impact on existing residential properties, with all but 1 neighbouring property continuing to receive more than 2 hours of solar access between 9am and 3pm in midwinter. This is considered to be an acceptable impact. In order to achieve two hours direct solar access to this apartment in midwinter, two levels of apartments would have to be removed from the corner of the proposed building on the north site (Figure 20).

Figure 20. Solar access plane required to achieve 2 hours direct sunlight to adjoining property



Terrace houses on Cowper Street

The proposed development will create some additional overshadowing of the terrace houses on Cowper Street between 9am and midday in midwinter. Up to 7 terraces will be impacted by some

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overshadowing between 10am and midday only in midwinter. There is no solar loss for the terraces houses after midday. This is considered to be acceptable as these impacts are during midwinter and the terraces are still receiving a good level of solar access throughout the day.

Figure 21. Shadow diagrams for Cowper Street terraces



The solar analysis also demonstrates that there will be no overshadowing impact on the adjacent open space including MJ Doherty Reserve and Wentworth Park.

All apartments in the reference scheme will receive good solar access with over 80 percent receiving at least 2 hours of solar access in midwinter, as required by the ADG.

Design Excellence

Prior to any pre-lodgement meetings with the City of Sydney, the landowner initiated a design services Request for Tender / Competitive Design Alternatives Process in partnership with the NSW Government Architect. As part of this process four competitors were invited to prepare design proposals for the site. The design services Request for Tender / Design Alternatives Process was undertaken in accordance with:

- NSW Government Construction Procurement Model
- City of Sydney Competitive Design Alternative Model 2012 (modified)

The Tender Evaluation Committee resolved that the Johnson Pilton Walker (JPW) scheme best demonstrated the ability to achieve design excellence with regard to the provisions of Clause 6.21 of the Sydney LEP and the Alternative Competitive Design Process requirements in the City's Competitive Design Policy. JPW's scheme was subsequently awarded the winner of the design excellence process. The tender component of the process was not the determining criteria in the selection of the preferred design proposal.

Of the four design schemes presented, the JPW scheme was determined to be the most convincing response to the traditional architecture, urban design and commercial objectives of the brief and the greatest potential to achieve design excellence. On this basis the Tender Evaluation Committee selected JPW as provide services and submit deliveries at each stage of the project.

Since the evaluation committee chose that the JPW scheme, there has been ongoing engagement on the design with stakeholder including the JPW design team. This has further improved the design.

Given that the design services Request for Tender / Competitive Design Alternatives Process has been undertaken and a proposal selected which can deliver design excellence, no further competitive design process will be required at the development application stage. Accordingly, this planning proposal seeks to exclude the sites from these requirements and the accompanying floor space or height bonus for undertaking a further competition under the Sydney LEP.

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Heritage

The site is not listed as a heritage item in Schedule 5 of the Sydney LEP but is within the St Phillips Heritage Conservation Area and is located adjacent to a heritage listed (I670) street trees on Cowper Street. The site is the subject of listings on the Section 170 Register for NSW Land and Housing Corporation.

This planning proposal is supported by a Heritage Impact Assessment which identifies the heritage significance of the existing buildings as little to moderate and concludes that it would be appropriate for the sites to be removed from the LAHCs Heritage and Conservation Register. It was noted that this would require notification to the Heritage Council of NSW and would need to be completed prior to demolition.

The heritage assessment also concluded that the demolition of the existing buildings will have a negligible impact on the significance of the Heritage Conservation Area and that the proposal to remove the subject site from the St Phillips Conservation Area curtilage would be an acceptable heritage outcome. This was on the basis that:

- The existing buildings, while marginally sympathetic infill styles, are not exemplary of their type and can potentially confuse interpretation of the mostly Victorian architectural values of the conservation area.
- Spatially, the site is located at the outer edges of the Conservation Area where the qualities and architectural values of the conservation area are not as evident or as obvious as it would be within the central core.
- The site is located within a pocket of varied architectural styles and densities of development and that interpreting the existing buildings as cohesive with the values of the conservation area are less applicable.

The following recommendations from the heritage assessment must be addressed at the development application stage:

- Prior to the demolition of any structures, an archival photographic recording should be completed. Ideally, this archival recording would include measured drawings (if original/as built drawings can't be found) plus a photographic record.
- LAHC should prepare an Interpretation Strategy regarding the historic development of the area.
- Any significant heritage fabric relating to the St Phillip's Conservation area, such as the stone kerb along Mitchell Lane East should be conserved. Measures must be put in place to protect these significant items.
- The measures put in place to retain the heritage trees should be continued through the detailed design.

Finally, LAHC is encouraged to prepare a comparative analysis of current and future development projects to understand their building stock and to determine if any sites should be retained in preference to others.

European archaeological heritage

This planning proposal is supported by a Baseline Historical Archaeological Assessment. The assessment found that the archaeological potential ranges from low to high across the sites.

The assessment highlight that there is potential for historical interpretation opportunities to illustrate the history of the area and utilise the archaeological resource to inform our understanding of the occupants of the site and activities carried out there.

Given that the site has generally moderate potential to contain archaeological remains of local archaeological significance that would constitute relics in the meaning of the *Heritage Act 1977* and as such are afforded protection by the Act. Any ground disturbance works with the potential to disturb or destroy archaeological relics are constrained by the Act and would require an excavation permit to allow them to proceed.

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On this basis there are unlikely to be archaeological constraints which would preclude the progressing of the planning proposal. However, prior to construction, relevant permits would be required under the *Heritage Act 1977* for any ground disturbance works with the potential to disturb or destroy archaeological relics.

Aboriginal Heritage

This planning proposal is supported by a preliminary Aboriginal Cultural Heritage Assessment. The Assessment indicated that at least a portion of the northern half of the site has been subjected to reclamation activities when the former Blackwattle Bay was filled and then converted to a public park. It highlights this is likely to have capped any Aboriginal objects or sites within the tidal margins and rocky shores of the bay, if present.

Based on the findings of this assessment, there is a risk that development works may impact Aboriginal objects and sites across the study area. These are likely to be found within natural alluvium and/or residual soils, at depths below approximately 1.9 metres below ground surface. As such, further investigation in the form of an Aboriginal Cultural Heritage Assessment Report (ACHAR) is required for any activities that are likely to impact the ground surface. The ACHAR would be carried out with formal Aboriginal community consultation and may include a staged program of archaeological test excavations which would be carried out in between the demolition and construction stages.

Aboriginal heritage will be addressed during the development application stage. Where Aboriginal heritage items were identified through the ACHAR, an Aboriginal Heritage Impact Permit would be required prior to any impact as a result of excavation or construction works.

Flooding and Stormwater

Flood Assessment and Stormwater Assessment Reports identify the site is affected by the 1% Annual Exceedance Probability (AEP) flood level ranging from 3.27 to 3.88 metres AHD across the both sites (Figure 22) and the Probable Maximum Flood (PMF) level ranging from 4.24 to 4.38 metres AHD across the both sites (Figure 23). Under existing conditions both north and south sites experience overland flooding on all sides. The majority of flow is north-east along Mitchell Lane East and Wentworth Park Road. It is noted that Wentworth Park has a 1 metre higher PMF level than the subject site.

The flood assessment confirms that redevelopment of the site must be designed to meet the following flood planning levels:

- Residential habitable rooms: 1% AEP flood level + 0.5m freeboard.
- Residential non-habitable rooms: 1% AEP flood level
- Below-ground car parks: the higher of 1% AEP flood level + 0.5m freeboard and PMF flood level.

The reference scheme submitted with this planning proposal has been informed by the above flood planning levels.

To offset potential flooding impacts, mitigation measures will be required. This may include:

- A pit and pipe network to collect minor storm runoff from surface areas;
- overland flow paths to carry major storms through and around the site without causing damage to property from flooding; and
- two separate stormwater treatment chambers.

A detailed flood assessment will be required as part of subsequent development applications for the site.

Figure 22. Existing 1% AEP peak flood depth

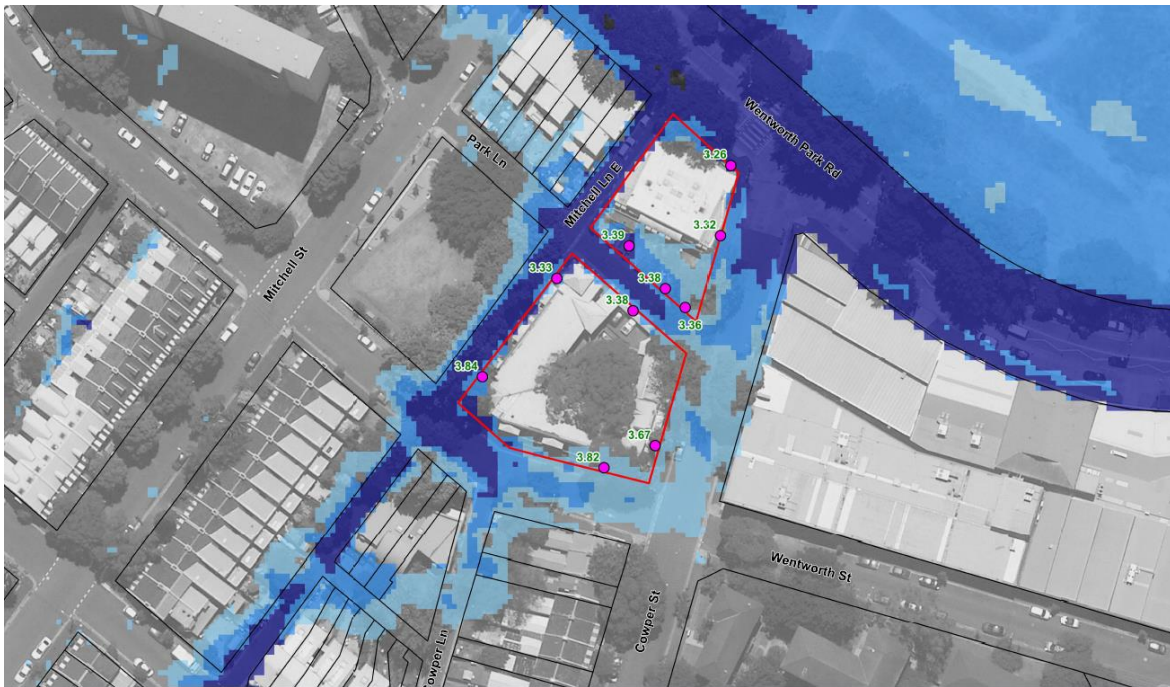
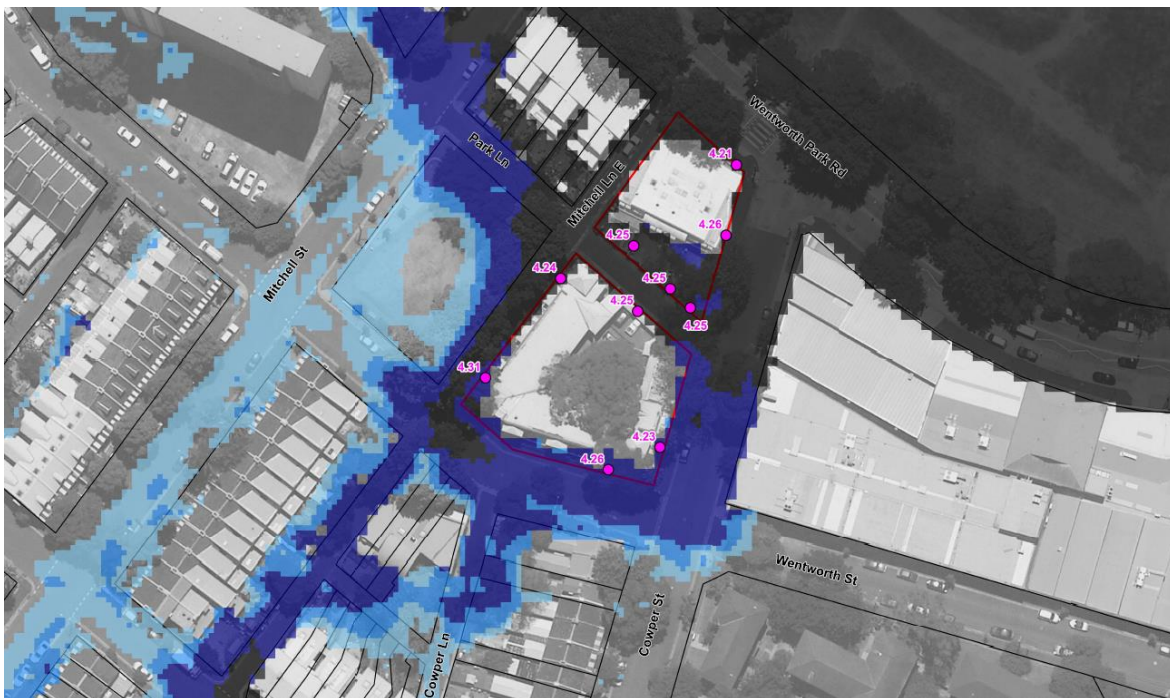


Figure 23. Existing PMF peak flood depth



Traffic and Transport

A Traffic, Transport and Parking Report has been prepared to support the planning proposal. This report provides an assessment of the existing traffic and transport environment and the impact of the proposed development on the traffic and transport network.

Road network

The traffic report included traffic modelling which assessed the impact of the proposal on the intersections at Cowper Street / Wentworth Street and Cowper Street / Wentworth Park Road. The traffic modelling concluded that applying traffic generated by the proposed development to the surrounding road network indicates the uplift in traffic will have a negligible impact on road network operation.

Public Transport

The site is within walking distance of Wentworth Park Light rail stop (750 metres) and Glebe Light Rail stop (800 metres) which provide connections to Central Station, Leichardt and Dulwich Hill.

The site is located 450 metres from bus services that stop along Glebe Point Road. Bus stops on Harris Street are located approximately 650 metres from the site. These high frequency bus routes provide connections to the Sydney CBD, Leichardt, Coogee and Balmain.

Central Station is the closest station to the site, via a 22-minute walk or 17-minute bus trip. Central Station provides access to a number of Sydney Trains services and Intercity trains to various destinations.

Mode Share

The traffic report establishes aspirational mode share targets with a view to reducing dependency on private vehicle dependency, with 22 percent car trips and 78 percent public transport, active transport trips or other trips. These targets will be supported by the site's accessibility to public transport, services and facilities. A Green Travel Plan will be developed at development application stage to identify additional travel demand measures to be implemented.

Pedestrian and cycling

Pedestrian footpaths are provided on both sides of Wentworth Street, Cowper Street and Wentworth Park Road. There are no footpaths on Park Lane or Mitchell Lane East. A zebra crossing is located on Wentworth Park Road west of Cowper Street which provides a safe crossing point for pedestrians travelling between Wentworth Park and the site. A shared path connects Wentworth Park Road and Wattle Street via Wentworth Park. Glebe Point Road and Glebe Street are bicycle friendly streets that provide connectivity in the vicinity of the site.

Car parking

The existing development provides 7 off-street car parking spaces, all accessed off Park Lane. Wentworth Park Road, being a key distributor for the area, has limited, metered parking. The local streets and lanes adjacent to the site have a mixture of time-restricted parking. The Glebe resident parking scheme applies to all streets adjacent to the site.

According to the reference scheme, future redevelopment of the site would result in a maximum of 30 basement car parking spaces on the south site. This planning proposal seeks to apply the Category B car parking rate in the LEP to the site to determine the maximum car parking rate.

The supporting traffic analysis suggests the number of parking spaces is not anticipated to degrade the performance of the road network to an unacceptable level. The exact amount of car parking to be provided on the site will be determined as part of the detailed design phase.

The proposed basement vehicle access would likely necessitate the removal of about 4 on-street parking spaces on Wentworth Street. As the development expects to include 30 new parking spaces the traffic study does not expect the loss of 4 spaces to have a negative impact on parking supply for residents in the area. However, removal of on-street parking spaces will require Traffic Committee approval. There may be opportunity to provide new on-street parking in Park Lane.

Sustainability

A Sustainable Report establishes the recommended sustainability targets for future development on the site. The following minimum targets are proposed to deliver energy and carbon reductions:

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- 6-star Green Star communities rating
- 5-star Green Star Design and As-Built
- BASIX Energy 50 for low rise and 45 for high rise

The following minimum targets are proposed for Commercial areas:

- NABERS Energy rating of 5.5 stars
- NABERS Water rating of 4.5 stars

Future redevelopment would also seek to maximise opportunities for the installation of solar photovoltaic systems and provide green roofs where appropriate, to provide amenity, improve microclimate conditions and create comfortable communal spaces.

The sustainability targets are included in the draft DCP and would apply to future development. Sustainability targets and proposed measures will be further considered in the detailed design stage and provided as part of any future development applications for the site.

Geotechnical

The planning proposal includes excavation for 2 basement levels across the south site for car parking and site servicing. The planning proposal is accompanied by a Geotechnical Assessment. The site subsurface consists of different depths of fill, sands and clayey material overlying sandstone bedrock at approx. 5 metres depth. The study found that groundwater is shallow and dewatering will be required for the construction of basements. There is also potential for acid sulfate soils to be encountered. There is a need for further investigations and a remedial action plan to be addressed at the development application stage.

5.3. Draft development control plan

Site-specific controls have also been included in the draft DCP to help guide the design for the block. The reference design represents a highly resolved design. The draft DCP controls will help to ensure the benefits of the increased maximum building height and FSR are realised and impacts are appropriately managed. The draft DCP addresses the following key design considerations to:

- Improve visual privacy between apartments across Park Lane;
- Manage visual privacy between apartments and terraces;
- Provide ramp access to both lobbies;
- Dedicate land for footpath widening and improve pedestrian facilities on surrounding streets;
- Increase the quantum of landscape and deep soil;
- Manage overshadowing to the adjacent buildings by modifying the south-east roof of the north lot;
- Provide external sun shading to east and west elevations;
- Improve ground level interfaces by including windows to all ground level spaces;
- Improve solar access to living spaces of west facing apartments;
- Modify windows to maximise effectiveness of cross ventilation; and
- Improve the design quality and detail of the terrace houses.

5.4. Need for the planning proposal

Q1. Is the planning proposal the result of an endorsed local strategic planning statement, strategic study or report?

This planning proposal is a result of a request from the landowner to change the planning controls that relate to the site. It will facilitate the strategic development outcomes envisaged by the NSW Government's *Future Directions for Social Housing 2016*. This 10-year plan seeks to drive better outcomes for social housing tenants.

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The landowner has undertaken a number of studies in support of the request. The supporting documents are attached as the following appendices to this planning proposal:

- Attachment A: Consideration of Sydney DCP – File Planning
- Attachment B: Proposed DCP Controls – File Planning
- Attachment C: Urban Design Study – Johnson Pilton Walker
- Attachment D: Reference Design Scheme Drawings - Johnson Pilton Walker
- Attachment E: Landscape Concept Plans – Turf Design Studio
- Attachment F: Arboricultural report – Arterra Design
- Attachment F: Tree Management Plan - Arterra Design
- Attachment G: Heritage Impact Assessment – Extent
- Attachment H: Historical Archaeological Assessment – Extent
- Attachment I: Aboriginal Cultural Heritage Assessment – Extent
- Attachment J: Traffic and Transport Assessment – ARUP
- Attachment K: Ecological Sustainable Development Report – Integral Group
- Attachment L: Acoustic Assessment – White Noise Acoustics
- Attachment M: Utility Services Assessment – Donnelley Simpson Cleary
- Attachment N: Flood Assessment Report – GRC Hydro
- Attachment O: Stormwater Management Report – Van Der Meer
- Attachment P: Geotechnical Report – Douglas Partners
- Attachment Q: Contamination Assessment – Douglas Partners
- Attachment R: Acid Sulfate Soils Management Plan – Douglas Partners
- Attachment S: Waste Management Plan - Elephants Foot Recycling Solutions
- Attachment T: Social Infrastructure Assessment – Elton Consulting
- Attachment U: Preliminary Stakeholder and Community Engagement Report – Jody Connor
- Attachment V: Survey Plan - North Site – Veris Australia
- Attachment W: Survey Plan - South Site – Veris Australia

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. There are no alternative processes to achieve the intent of this planning proposal. The controls in the Sydney LEP 2012 provide limited opportunities for redevelopment of the site.

5.5. Relationship to strategic planning framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A Metropolis of Three Cities – the Greater Sydney Regional Plan

A Metropolis for Three Cities – the Greater Sydney Regional Plan is the NSW State Government's overarching strategic plan that outlines a 40-year vision and sets out a 20-year plan to manage growth and change for Sydney. It identifies key challenges facing Sydney including a population increase of 1.7 million, and a requirement for 725,000 new homes by 2036. The Plan also refers to a whole-of-government agenda to create 1 million new jobs in NSW by 2036.

In responding to these and other challenges, the plan sets out four categories and 10 directions, with associated objectives. These are:

1. **Infrastructure and collaboration**: a city supported by infrastructure, and a collaborative city;
2. **Liveability**: a city for people, housing the city and a city of great places;
3. **Productivity**: a well-connected city and jobs and skills for the city; and
4. **Sustainability**: a city in its landscape, an efficient city and a resilient city.

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Directions of particular relevance to this planning proposal include:

- [Direction 1](#): A city supported by infrastructure;
- [Direction 4](#): Housing the City;
- [Direction 5](#): A city of great places;
- [Direction 8](#): A city in its landscape;
- [Direction 6](#): A well-connected city; and
- [Direction 10](#): A resilient city.

The planning proposal is consistent with several relevant directions, objectives and strategies of the plan. Specifically, it:

- responds to the increasing demand for social housing options in the inner city;
- will provide a mix of housing to support a range of households;
- proximity to a range of public transport infrastructure, jobs and services is consistent with the 30-minute city concept;
- is located adjacent to highly accessible public open space for future residents; and
- location will promote the use of active and public transport.

Eastern City District Plan

The Eastern City District Plan sets out the NSW Government's vision, priorities and actions for the Eastern District, including the City of Sydney. It establishes a 20 year vision for the Eastern District to be a global sustainability leader, managing growth while maintaining and enhancing liveability, productivity and attractiveness for residents and visitors. Priorities and associated actions for productivity, liveability and sustainability seek to deliver this vision.

This planning proposal is consistent with the following priorities from the Plan:

- [Planning Priority E1 – Planning for a city supported by infrastructure](#) - The District Plan addresses the need to provide more residential dwellings to support the projected population increase of 325,000 by 2036. This planning proposal seeks to plan for a city supported by infrastructure by increasing residential capacity of the site near to jobs, services and amenities. Future residents will be near the Inner West Light Rail and high frequency buses on Parramatta Road.
- [Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities](#) - This planning proposal will provide new social housing in an area of increasing demand and support a diverse community by providing a mix of housing and new public spaces that promote social integration and connectivity.
- [Planning Priority E5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport](#) - This planning proposal will provide a mix of social and private dwellings, in a highly accessible and well-served location. The site is within walking distance to public transport connections to key employment centres.
- [Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage](#) - This planning proposal seeks to renew a Government-owned site to create new social and private housing. The Planning Proposal considers the local character of St Phillips heritage conservation area. The proposed built form responds to the site's heritage setting with built form transition to MJ Doherty reserve.

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- **Planning Priority E7 – Growing a more stronger and more competitive Harbour CBD** - This planning proposal will provide ground floor non-residential uses fronting Wentworth Park Road, which could accommodate a commercial or community use that will enhance street activation and vibrancy.
- **Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city** - The site is located within walking distance from the Inner West Light Rail and high frequency buses on Parramatta Road, enabling the 30-minute city concept by way of active and public transport.
- **Planning Priority E17 – Increasing urban tree canopy cover and delivering green grid connections** – The planning proposal seeks to provide enhanced tree plantings within the public domain, and retention of existing street trees.
- **Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently** – This planning proposal and site-specific draft DCP includes targets to exceed BASIX requirements for water and energy targets and sustainability targets.
- **Planning Priority S20 – Adapting to the impacts of urban and natural hazards and climate change** – This planning proposal gives consideration to the relevant flood planning levels on the site and seeks to achieve an adequate level of tree canopy cover.

Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

City Plan 2036: draft Local Strategic Planning Statement

City of Sydney's recently endorsed Local Strategic Planning Statement sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls, including those sought by proponents through planning proposals. This planning proposal gives effect to the following planning priorities of the Statement:

Infrastructure

- **I3 – Supporting community wellbeing with social infrastructure** - The site promotes social cohesion and wellbeing through the delivery of an integrated, mixed tenure community on the site. The proposal will improve community well-being and social outcomes by providing new social housing in an established inner-city community.

Liveability

- **L1 – A creative and socially connected city** - The planning proposal will support the objective of a socially connected community, by providing a diverse range of households on the site – social and private tenants.
- **L2 – Creating great places** - The planning proposal promotes the 'liveable and walkable neighbourhood' model by providing a diversity of housing, new social housing, and varied communal spaces and activated streets that will knit the site into the neighbourhood.
- **L3 – New homes for a diverse community** - The development will provide high levels of amenity and opportunity of social housing within Glebe. The social housing development is a result of the growing demand for diverse housing tenure in the inner city.

Sustainability

- **S2 – Creating better buildings and places to reduce emissions and waste and use water efficiently** - The site aims to improve the City's energy and sustainability priorities by setting

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sustainability targets for the site. The draft DCP contains provisions to achieve this objective.

- **S3 – Increasing resilience of people and infrastructure against natural and urban hazards** - The proposal manages all hazards and ensures future development can adequately addressed in the design of future buildings. The reference scheme demonstrates that future development on the site can manage and mitigate all potential hazards particular flooding constraints.

Governance

- **G1 – Open, Accountable and collaborative planning** - The planning proposal has been informed by ongoing collaboration between NSW LAHC, DPIE, NSW Government Architect and the City of Sydney. Community consultation has also provided input into the reference scheme and proposed outcomes. The planning proposal will be subject to further community and stakeholder consultation to ensure open and collaborative planning for the site

Local Housing Strategy: Housing for All

The City's local housing strategy identifies a target of 3,368 social and affordable dwellings in the LGA between 2022- 2036. This is based on the Council's target of 7.5 percent of all housing to be provided as affordable housing and 7.5 percent of all housing to be provided as social housing.

This planning proposal is consistent with the following priorities in the housing strategy:

- **H1 Facilitating more homes in the right locations** – This planning proposal provides an opportunity for social housing within Glebe, an established community, one of the most well-served, walkable and connected suburbs in Sydney.
- **H2 Coordinating housing growth with the delivery of infrastructure** - The planning proposal will deliver a diverse range of housing in an extremely accessible location well-served by existing and planned infrastructure. The site is within walking distance of a range of public transport infrastructure, jobs and services.
- **H3 Increasing diversity and choice in housing** - The site offers a mix of social housing to meet the needs and demands of low-income households. The provision of social housing on the site will make a meaningful contribution to the supply of social housing and continue to support a diverse community.
- **H4 Increasing the diversity and number of homes available for lower income households** - The planning proposal will increase the number of homes for lower income households. The planning proposal seeks to maximise the delivery of social housing on the site.
- **H5 Increasing the amount of social and supported housing** - The planning proposal seeks to maximize the delivery of social housing on the site, consistent with Government policy. The planning proposal includes a site-specific provision to provide social housing on the site.
- **H6 Improving NSW Government controlled site outcomes** - The planning proposal and reference scheme have been developed to with the overarching objective of creating a people-focused, integrated community with high-quality spaces that will bring people together. The planning proposal will include market housing and social housing. It also provides flexibility for a range of residential and supporting non-residential uses that will meet residents' daily needs.
- **H7 Increasing liveability, sustainability and accessibility through high quality residential design** - The planning proposal will deliver great streets that reflect the character of the neighbourhood – with street trees and an enhanced public domain. The proposal will deliver a high level of amenity (internal and external amenity) and includes sustainability targets for future development.

Sustainable Sydney 2030: Community Strategic Plan 2017–2021

Sustainable Sydney 2030 is Council's vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City and 10 targets against which to measure progress. This planning proposal is aligned with the following relevant strategic directions and objectives:

- **Direction 1 – A globally competitive and innovative city** – The planning proposal will support Sydney's role as an important centre of business and investment by providing additional housing options for workers in a high amenity area located within 30 minutes of the city.
- **Direction 2 provides a road map for the City to become a Leading Environmental performer** – Redevelopment of the site, facilitated by this planning proposal, will deliver new building stock with significantly better environmental performance than the current development.
- **Direction 3 – Integrated transport for a connected City** – The site is close light rail and high frequency buses along Parramatta Road providing access to the Central Station and the wider heavy rail network.
- **Direction 4 – A city for walking and cycling** - The planning proposal will support active transport use in accordance with this Direction. The proposed built form also provides for enhanced activation of the public domain, which will enhance safety and amenity for pedestrians in the surrounding area.
- **Direction 5 – A lively and engaging city centre** - The planning proposal includes a ground floor community use facing Wentworth Park which will provide greater activation of the surrounding area.
- **Direction 6 – Resilient and inclusive local communities** - The planning proposal seeks to renew existing social housing and deliver an integrated outcome enhancing the sense of inclusion for all residents.
- **Direction 7 – A cultural and creative city** - Further opportunities for cultural and collaborative expression will be enabled within public and communal spaces.
- **Direction 8 – Housing for a diverse community** - The planning proposal promotes a diverse supply of housing that supports social and economic diversity. The proposal will provide for people of all income levels, household types, ages and abilities in housing that they can live in through all stages of their lives. The planning proposal will contribute to a thriving, diverse and a liveable community in the Glebe area.
- **Direction 9 – Sustainable development, renewal and design** - The development will provide a sustainable approach to urban density, by providing a range of housing types within a dense inner-city suburb. Future apartments will be of a high quality with good solar access and in close proximity to parks.

Q5. Is the Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

This planning proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as outlined in Table 7. SEPPs not mentioned are not applicable to the subject proposal.

Table 1: Consistency with SEPPs

SEPPs with which this planning proposal is	SEPP 65—Design Quality of Residential Flat Development; SEPP (Affordable Rental Housing) 2009; SEPP (Building Sustainability Index: BASIX) 2004; SEPP (Infrastructure) 2007;
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consistent	SEPP (Vegetation in Non-Rural Areas) 2017.
SEPPs that are not applicable to this planning proposal	<p>SEPP 19—Bushland in Urban Areas; SEPP 21—Caravan Parks; SEPP 33—Hazardous and Offensive Development; SEPP 36—Manufactured Home Estates; SEPP 47—Moore Park Showground; SEPP 50—Canal Estate Development; SEPP 55—Remediation of Land; SEPP 64—Advertising and Signage; SEPP 70—Affordable Housing (Revised Schemes); SEPP (Aboriginal Land) 2019; SEPP (Coastal Management) 2018; SEPP (Concurrences and Consents) 2018; SEPP (Educational Establishments and Child Care Facilities) 2017; SEPP (Exempt and Complying Development Codes) 2008; SEPP (Gosford City Centre) 2018; SEPP (Housing for Seniors or People with a Disability) 2004; SEPP (Koala Habitat Protection) 2019; SEPP (Kosciuszko National Park— Alpine Resorts) 2007; SEPP (Kurnell Peninsula) 1989; SEPP (Mining, Petroleum Production and Extractive Industries) 2007; SEPP (Penrith Lakes Scheme) 1989; SEPP (Primary Production and Rural Development) 2019; SEPP (State and Regional Development) 2011; SEPP (State Significant Precincts) 2005; SEPP (Sydney Drinking Water Catchment) 2011; SEPP (Sydney Region Growth Centres) 2006; SEPP (Three Ports) 2013; SEPP (Urban Renewal) 2010; SEPP (Western Sydney Employment Area) 2009; SEPP (Western Sydney Parklands) 2009.</p>
REPs with which this planning proposal is consistent	N/A
REPs that are not applicable to this planning proposal	<p>Sydney REP 8—(Central Coast Plateau Areas); Sydney REP 9—Extractive Industry (No 2—1995); Sydney REP 16—Walsh Bay; Sydney REP 20—Hawkesbury- Nepean River (No 2—1997); Sydney REP 24—Homebush Bay Area; Sydney REP 26—City West; Sydney REP 30—St Marys; Sydney REP 33—Cooks Cove; Sydney REP (Sydney Harbour Catchment) 2005.</p>

State Environmental Planning Policy (Affordable Rental Housing) 2009

This planning proposal is consistent with the aims of the SEPP and includes a provision requiring a minimum 10 percent affordable housing to be provided as part of future development. As this planning proposal requires a minimum amount of affordable housing, the proposal seeks to list the site in clause 1.9(2A) of the Sydney LEP 2012 so the SEPP does not apply.

State Environmental Planning Policy 65—Design Quality of Residential Flat Development;

The planning proposal is consistent with the aims of the SEPP 65 which seeks to promote good design of apartments through the establishment of the Apartment Design Guide.

The reference scheme submitted with the planning proposal has taken into consideration the key criteria of the SEPP and the Apartment Design Guide.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

This planning proposal's consistency with applicable section 9.1 Ministerial directions is outlined in Table 8. Directions which are not applicable are not included.

Table 2: Consistency with Ministerial directions

No.	Direction	Comment
2. Environment and Heritage		
2.3	Heritage conservation	Consistent. Although not a heritage item itself, the site is within St Phillips Heritage Conservation Area and it is adjacent to Heritage Item I670, being street trees along Cowper Street. This planning proposal is supported by a Heritage Impact Assessment that concludes the current development has little heritage significance and removing the site from the conservation area would be an acceptable heritage outcome. The proposal seeks to protect and retain locally listed heritage trees located on Cowper Street.
2.6	Remediation of Contaminated Land	Consistent. A combined preliminary and detailed site assessment concludes that the site can be rendered suitable for the proposed development, from a contamination perspective, subject to the remediation and /or management of the identified contamination. The site's suitability will be demonstrated as part of a future detailed development application for the site.
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Consistent. The planning proposal will not reduce the permissible residential density on the site.
3.4	Integrating Land Use and Transport	Consistent. The site is well located with easy access to transport services, including light rail and high frequency bus routes. The planning proposal will enable the

No.	Direction	Comment
		intensification of housing in a well-connected site and will encourage use of public transport services.
4. Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent. An Acid Sulfate Soils Management Plan has been prepared which outlines a series of acid sulfate soils management, treatment and disposal measures which would be required during construction.
4.3	Flood Prone Land	Consistent. The planning proposal is consistent with the City of Sydney Interim Floodplain Management Policy, prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.
5. Regional Planning		
5.10	Implementation of regional plans	Consistent. This direction requires planning proposals to give effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. This planning proposal supports the implementation of the Eastern City District Plan.
6. Local Plan Making		
6.1	Approval and referral requirements	Consistent. This direction ensures that LEP provisions encourage the efficient and appropriate assessment of development. This planning proposal does not include any concurrence, consultation or referral provisions. Additionally, it does not identify any development as designated development.
6.3	Site-specific provisions	Consistent. Division 5 of the LEP contains site-specific provisions for various sites across the City. This planning proposal involves introducing site-specific controls into the LEP to ensure an appropriate tenure mix on the site consistent with NSW Government policy.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Consistent. The aim of this direction is to give legal effect to the principles, directions and priorities contained in the Greater Sydney Region Plan – a Metropolis of Three Cities. This Planning Proposal discusses how the proposal is consistent with a Metropolis of Three Cities.

5.6. Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the Planning Proposal?

Threatened species

The planning proposal will not adversely affect any threatened species, populations or ecological communities.

Trees

A preliminary Arboricultural Report and Tree Management Plan assessed the potential impacts of the development footprint on the trees within and adjacent to the site. The key findings of the assessment include:

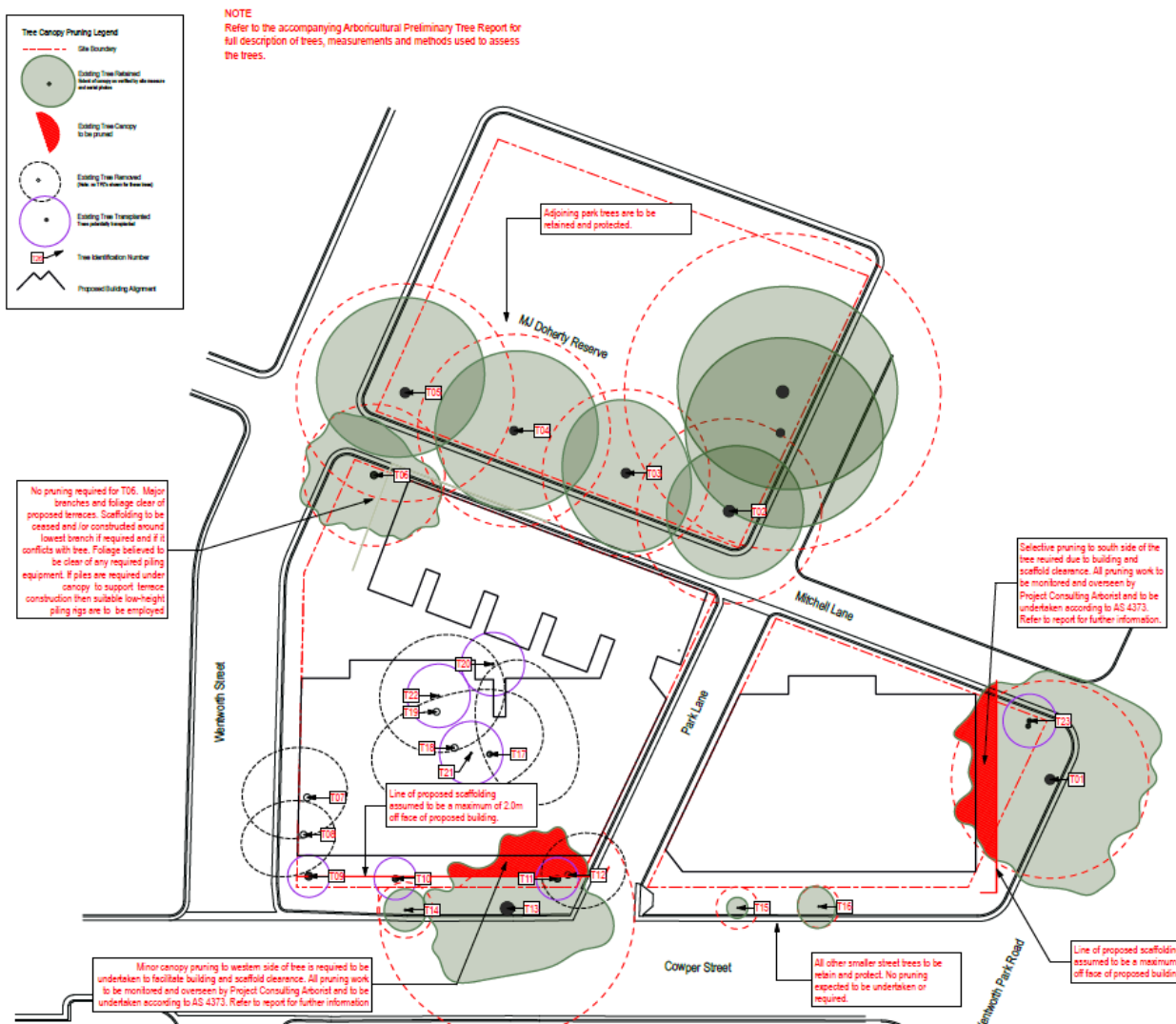
- 23 trees are currently within or immediately adjacent to the site;
- 14 trees are located within the site;
- 10 trees are located outside the site boundaries and are either adjoining street or park trees;
- 7 trees are palms trees that are in good condition and could potentially be transplanted and reused;
- 6 trees are rated as 'high' retention value and should be targeted for protection and retention. All of these 'high' value trees are located outside the site;
- 11 trees are rated with a moderate retention value;
- 6 trees have a low retention value and should therefore not constrain the development outcomes.

The assessment made the following recommendations (Figure 24):

- Retention of all adjacent street trees and park trees
- Retention of a Spotted Gum at the south western corner of 17-31 Cowper Street;
- Relocation of 7 palm trees; and
- Removal of all other trees within the Site.

The assessment also notes that building setbacks on Cowper Street are appropriate given the size and heritage significance of the trees. Incursion into the Tree Protection Zone (TPZ) of the Cowper Street trees is less than 10 percent and branch pruning is unlikely to significantly impact the health or stability of these trees.

Figure 24. Tree retention, removal and pruning



To mitigate the loss of trees, this planning proposal provides for a minimum site canopy cover of 18 percent at ground level, with additional rooftop planting.

The provision of site canopy exceeds the 15 percent requirement in the Sydney DCP and supports the City's Urban Forest Strategy which seeks to increase canopy cover across the local government area to 23.25 percent by 2030. This planning proposal seeks to ensure the loss of trees is adequately offset and will improve landscape values and biodiversity outcomes with more appropriate tree plantings.

Wind

The Sydney DCP requires a wind effects report for buildings higher than 45 metres. The proposed buildings on both sites are under 45 metres in height and are not expected to significantly impact the environmental conditions at ground level. Balconies are generally inset within the building envelope, maximizing their usability and apartment amenity generally.

Noise

A Noise Impact Assessment has been prepared to support the planning proposal. The report highlights that the main noise impacts at the Site are predominantly as a result of traffic noise

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within the vicinity of the Site, with adjacent roads not defined by the Roads and Maritime Service as carrying more than 20,000 vehicles per day.

The assessment recommends a number of standard construction attenuation measures including specific glazing thickness up to a maximum of 10.38mm for bedrooms. The assessment concludes that by providing the recommended constructions details the required internal noise levels will be achieved. Further acoustic attenuation details will be provided as part of subsequent development applications for the site.

Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

No, there are no other likely environmental effects as a result of the planning proposal. The planning proposal has adequately addressed all likely environmental impacts.

The Planning Proposal, and supporting reference scheme, confirms that all potential environmental impacts can be appropriately managed and mitigated.

Q9. Has the Planning Proposal adequately addressed any social and economic effects?

This planning proposal provides an opportunity for the redevelopment of the site. As previously discussed, the redevelopment will allow for positive social and economic effects including increasing social and affordable housing in an area with an identified need for affordable housing.

5.7. State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Yes. There is adequate public infrastructure to support the planning proposal. A Social Infrastructure Study and Traffic and Transport Assessment confirms there is adequate public infrastructure for the planning proposal.

All utility services including electricity, telecommunications, water, sewer and stormwater are currently available on the site. If the site is redeveloped it is expected the developer will upgrade these services to support the proposed development.

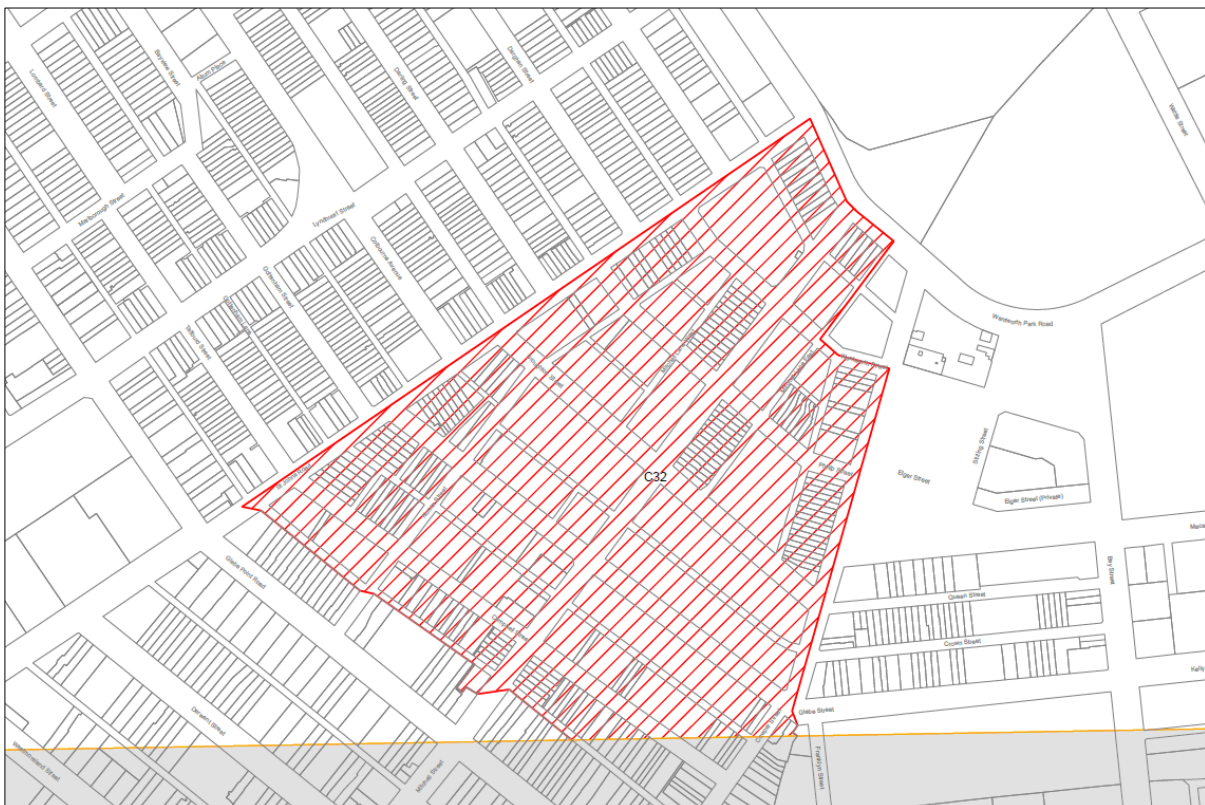
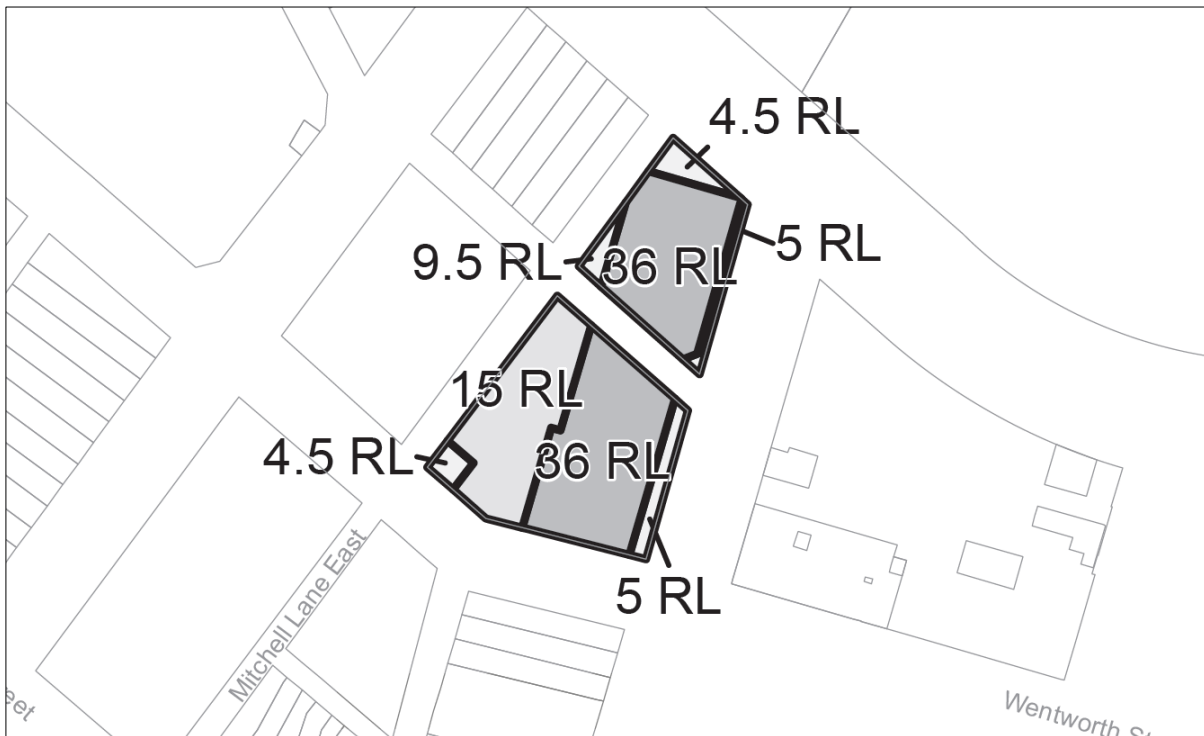
Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination will advise the public authorities to be consulted as part of the planning proposal process. Any issues raised will be incorporated into this planning proposal following consultation in the public exhibition period.

6. Mapping

The planning proposal seeks to amend the following maps contained in Sydney LEP 2012:

- Height of Buildings Map - Sheet HOB_008
- Heritage Map – Sheet HER_008



7. Community consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway determination.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the planning proposal on the City of Sydney website and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is expected the planning proposal will be publicly exhibited for at least 28 days in accordance with section 5.5.2 of 'A guide to preparing local environmental plans'.

It is proposed that exhibition material will be made available on the City of Sydney website and at Town Hall House at 456 Kent Street, Sydney.

Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway determination.

8. Project Timeline

The anticipated timeframe for the completion of the planning proposal is as follows:

Stage	Timeframe
Gateway Determination	September 2020
Government agency consultation	September 2020
Public exhibition	September/October 2020
Consideration of submissions	November/December 2020
Post exhibition consideration of proposal	February 2021
Draft and finalise LEP	March 2021
LEP made	April 2021
Plan forwarded to Department of Planning, Industry and Environment for notification	April 2021

