

## **Attachment C**

**22 June 2020 Transport, Heritage and  
Planning Committee Report – Public  
Exhibition – Planning Proposal – 600-660  
Elizabeth Street, Redfern**

## Public Exhibition Planning Proposal – 600-660 Elizabeth Street, Redfern – Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide

File No: X011236

### Summary

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 five to 10 year waiting period for social housing in our area, and the extra demand that will be created by the health, social and economic impacts of Covid-19, there is a critical need to deliver social and affordable housing.

The Planning Proposal presents an opportunity to optimise NSW Government owned land to deliver new social and affordable housing on a site that is predominately vacant and extremely accessible to a range of public transport infrastructure, jobs and services.

The Planning Proposal is consistent with the Greater Sydney Region Plan, Eastern City District Plan and the City's Local Strategic Planning Statement, which all identify the need to deliver more social and affordable housing options. In particular, the City's Planning Statement identifies the need for an additional 14,000 affordable and social housing dwellings by 2036.

The site known as 600-660 Elizabeth Street, Redfern forms part of the Redfern Social Housing Estate. Existing development on site consists of the South Sydney Police Citizens' Youth Club located on the corner of Phillip and Elizabeth Streets.

The site was previously identified as a potential State Significant Precinct. In November 2019, the Minister for Planning and Public Spaces announced a new approach to precinct planning. As a result, NSW Land and Housing Corporation sites previously announced as potential state significant would now be considered through a local council plan making process with a request to amend Sydney Local Environmental Plan 2012 (LEP).

This planning proposal provides for an increase to the maximum building height and floor space ratio which will allow for the future redevelopment of the site delivering the following key benefits:

- Development of the site for new social, affordable and market housing
- A high-quality, predominately residential development, supported with a range of small-scale neighbourhood uses, that will renew the site and contribute to local character
- Floor space for the continued operation of the Police Citizens' Youth Club so long as it remains on the site
- Development that responds to its context and achieves a high level of amenity to neighbouring properties, and
- No overshadowing to Redfern Park.

The future detailed development application for the site is identified as State Significant (State and Regional SEPP 2011) and as such Sydney Development Control Plan 2012 (the DCP) would not apply. To address this the City, has prepared a draft Design Guide to help ensure the objectives and intended outcomes of this planning proposal are achieved without the need for a Stage 1 DA.

The draft Design Guide creates site-specific provisions relating to the built form of the proposed development, design excellence, amenity requirements and sustainability. It will be considered by the Department of Planning, Infrastructure and Environment at the time of Gateway determination whether a clause incorporating reference to the Design Guide will form part of the planning proposal as occurred for the Waterloo Metro site.

However, if the future DA application(s) are delegated to the City to assess and determine, the recommendation seeks endorsement for a draft DCP consistent with the draft Design Guide to be exhibited in the alternative. The Guide/DCP has sufficient detail that a Stage 1 application would not be required, so that following LEP amendments, only a detailed application(s) would be required after a competitive design process.

This report recommends approval of the planning proposal for submission to the Department of Planning, Industry and Environment seeking a gateway determination for public exhibition. It also recommends that a draft Design Guide is endorsed for exhibition as a Design Guide or, if subsequent DA(s) are delegated to the City, as a draft DCP.

## 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;
- (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;
- (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.

## Attachments

**Attachment A.** Planning Proposal - 600-660 Elizabeth Street, Redfern

**Attachment B.** Draft Design Guide - 600-660 Elizabeth Street, Redfern

## Background

1. 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 to 10 year waiting period for social housing in the area, and the extra demand that will be created by the health, social and economic impacts of Covid-19, there is a critical need to deliver social and affordable housing on this site.
2. The Planning Proposal presents an opportunity to optimise NSW Government owned land to deliver new social and affordable housing on a site that is predominately vacant, extremely accessible to a range of public transport infrastructure, jobs and services.
3. 600-660 Elizabeth Street, will be the first government-backed mixed tenure Build-to-Rent residential development in Australia, which allows the NSW Government to retain ownership of the land and leverage the private and not-for-profit sectors to help deliver new housing.
4. The Planning Proposal is consistent with the Greater Sydney Region Plan, Eastern City District Plan and the City's Local Strategic Planning Statement, which all identify the need to deliver more social and affordable housing options. In particular, the City's Planning Statement identifies the need for an additional 14,000 affordable and social housing dwellings by 2036.
5. The site known as 600-660 Elizabeth Street, Redfern and is located in the Redfern Housing Estate.
6. In 2011, the Redfern Waterloo Authority (under the previous Government) proposed redevelopment of this same block in Elizabeth Street at an FSR of 3:1 under the Redfern Waterloo Draft Built Environment Plan 2 (BEP2) for a future State Significant Development. The City at that time recommended that a rail station be investigated near George and Raglan Streets in Waterloo to service any major renewal of the Redfern Waterloo Estate. It also recommended a new park at Waterloo associated with a new rail station (now called Metro).
7. In September 2017, the former Minister for Planning announced the site as a potential State Significant Precinct (SSP). The then Minister for Planning also invited the City to assist the Department Planning, Industry and Environment in the assessment of the site. The City's participation in the SSP involved being part of a Precinct Review Panel (PRP) to review and provide advice at key project milestones.
8. In mid-October 2019, Land and Housing Corporation undertook non-statutory public consultation presenting a scheme of 5 to 19 storeys in height, at an FSR of approximately 3.7:1, accommodating around 500 units.
9. In late October 2019, a Precinct Review Panel (PRP) consisting of representatives from the DPIE, GANSW, TfNSW and the CoS, raised a number of issues which the proponent has sought to address in the Planning Proposal and reference scheme, these included:
  - (a) There should be no overshadowing of Redfern Park
  - (b) Acknowledgment that public open space does not need to be accommodated on site

- (c) Greater certainty should be provided on the delivery of social and affordable housing on the site
  - (d) The proposed future location for the PCYC should be allowed for as part of the proposal (unless secured on an agreed alternative site), and
  - (e) The PRP also raised some concerns with environmental amenity, sustainability minimums, contamination, car parking and tree canopy.
10. In November 2019, the current Minister for Planning and Public Spaces announced a new approach to precinct planning. As a result, NSW Land and Housing Corporation (LAHC) sites previously announced as SSPs would now be considered through a local council planning process with a request to amend Sydney LEP 2012.
11. In December 2019, LAHC met with the City to discuss potential amendments to the planning controls for the site. The City provided formal pre-lodgement advice. The City has worked extensively with the landowner and their consultant team to explore potential built form outcomes.
12. On 10 March 2020, the landowner submitted a planning proposal request to the City of Sydney. The request included a Planning Justification Report, a Design Report and a number of technical studies. The City has prepared this Planning Proposal following consideration of the request.
13. The amended planning controls will enable redevelopment of 600-660 Elizabeth Street, Redfern, consisting of the following key concepts:
- (a) Facilitate development of the site for new social, affordable and market housing
  - (b) Deliver a range of small-scale neighbourhood uses, that will renew the site and contribute to local character
  - (c) Provide floor space for the continued operation of the Police Citizens' Youth Club (PCYC)
  - (d) Facilitate development that responds to its context and achieves a high level of amenity to neighbouring properties, and
  - (e) Ensure no overshadowing to Redfern Park.
14. In preparation of their request, NSW LAHC consulted with City staff and commissioned a range of studies to support the proposed changes to the planning controls. These studies are attached as appendices to the planning proposal at Attachment A to this report.

#### **Site details**

15. The planning proposal relates to 600-660 Elizabeth Street, Redfern and is under single ownership of LAHC.
16. The legal description of the land affected by this planning proposal is Lot 1 DP 1249145.
17. 600-660 Elizabeth Street also has frontage to Kettle Street to the north, Walker Street to the east and Phillip Street to the south.

18. The site is generally rectangular in shape and has a total area of 10,850 square metres. The site's western and eastern boundaries fronting Elizabeth Street and Walker Street are about 146 metres long. The site's northern and southern boundaries fronting Kettle Street and Phillip Street have are about 70 metres long.
19. Existing development on site consists of the South Sydney PCYC located on the corner of Phillip and Elizabeth Streets. The PCYC buildings on site comprise of three single storied 1950s brick buildings. The PCYC also has an outdoor basketball court and children's playground.
20. The northern portion of the site was previously occupied by 18 social housing dwellings. However, the dwellings were demolished in 2013 and that portion of the site has remained vacant since that time. The majority of the site contains 67 native and exotic tree species.



Figure 1: Aerial photo of subject site and surrounding area

### Existing planning controls

21. The site is currently subject to old planning controls in the South Sydney Local Environmental Plan 1998 and South Sydney Development Control Plan 1997. The planning controls applying to the site are:
  - Land zone: No. 2(b) Residential (Medium Density) and No. 5 Special Uses (Activity Centre)
  - Height of Buildings: Maximum of 6 metres for land zoned No. 2(b) Residential
  - Floor Space Ratio (FSR): Maximum of 1.5:1 to land zoned No. 2(b) Residential

22. The South Sydney DCP 1997 does not specify a maximum building height or FSR for the portion of the site zoned No.5 Special Uses.
23. This site is not a heritage item and is not within a Heritage Conservation Area. The site is surrounded by a number of heritage items and heritage conservation areas. Redfern Park to the west of the site is a State Heritage Item. To the south, the site adjoins the Waterloo Conservation Area.

#### **Adjoining development**

24. The site forms part of the Redfern Social Housing Estate. Surrounding context consists of residential development to the north, east and south and the State Heritage listed Redfern Park to the west. Adjoining the Park is the Redfern Oval which provides training facilities for the South Sydney Rugby League club.
25. Walker Street located east of the site contains low-medium scale housing comprising 1-2 storey townhouses and 4-storey apartment buildings constructed in 2013. Walker Street contains a street closure and small pocket park at the intersection with Philip Street.
26. Kettle Street, to the north of the site, contains a cul-de-sac and street closure at its intersection with Elizabeth Street. Kettle Street is an important pedestrian connection between Redfern Estate and Redfern Park with high pedestrian flows. The street closure creates a small pocket park at the signalised pedestrian crossing on Elizabeth Street. Kettle Street contains residential buildings range from 3-9 storeys.
27. Philip Street, to the south of the site, represents the northern boundary of the Waterloo Conversation Area and contains low rise terrace housing and fine grain shopfronts on Elizabeth Street.

#### **Submitted Scheme for planning proposal request**

28. The submitted reference scheme prepared by the landowner for 600-660 Elizabeth Street includes redevelopment of the site to accommodate new residential buildings with retail and community uses fronting Elizabeth Street and new open spaces on Kettle Street and Phillip Street.
29. The landowner's scheme would facilitate the delivery of new residential buildings with building heights ranging from 5-6 storeys on Walker Street, 5-7 storeys on Elizabeth Street and a taller building on the corner of Kettle and Walker Streets up to 14 storeys.
30. This scheme provides for 31,222 square metres of residential Gross Floor Area (GFA) and 1,602 square metres of non-residential GFA. This building layout would achieve 351 apartments and includes bonus floorspace awarded for design excellence.



Figure 2: Submitted reference scheme for planning proposal request (looking north)



Figure 3: Submitted reference scheme for planning proposal request (looking south)

**Revised scheme**

31. The City has prepared a revised reference scheme to guide development of the site. The revised scheme has been informed by advice from the City's Design Advisory Panel (DAP). The revised scheme seeks to improve the amenity and flexibility of the envelopes by:
- (a) Integrating the PCYC into the development proposal to acknowledge its important role in serving the community in the surrounding area. Unlike the submission, the revised scheme allows for the PCYC to be retained on site (unless and until a more suitable site is secured and agreed such as Waterloo).
  - (b) Reconfiguring the building layout to achieve better amenity for both buildings and open spaces on the site. Without greater building separation the landowner's scheme may not be able to achieve the desired dwelling yield without compromising residential amenity objectives.
  - (c) Ensuring that ground floors are elevated to address significant flooding issues on the site. Non-residential uses should be located on the ground floors to act as buffers in a flood event.
  - (d) Ensuring minimal impacts to neighbouring properties by lower building heights in the southern portion of the site and increasing them to 9 and 16 storeys in the northern portion of the site.
  - (e) Providing 4 storey buildings in the southern portion of the site so that different housing typologies including terraces and maisonettes (2 storey apartments) can be explored at the design stage.
  - (f) Ensuring building heights on Elizabeth Street do not impact sunlight to Redfern Park and Oval.
  - (g) Creating larger setbacks on all street frontages to allow for deep soil planting and a greater setback to aid retention of street trees, particularly existing significant trees on Walker Street.
  - (h) Ensure that the design excellence competition processes for the site could include well-articulated urban design requirements within the brief that encourages diversity in design. A single competitive design alternatives process should be held with 3 competing consortium where each consortium is comprised of at least 3 practices, including at least one emerging practice.
32. The revised scheme allocates 3,500 square metres of land area on the corner of Elizabeth Street and Kettle Street for community facilities. It is recommended that demolition of the existing PCYC on the site is not to commence until after a new PCYC has been built or arrangements have been made for equivalent community facilities elsewhere in the locality. This scheme also provides an alternative housing envelopes in the event that the community facilities are secured on another agreed site.
33. The revised scheme will provide for ground floor development fronting Elizabeth Street to be a mix of community, communal, commercial and retail uses.
34. Publicly secured and accessible through-site links are to be provided from Elizabeth Street to Walker Street and Kettle Street to Phillip Street.

- 35. Redevelopment using the revised scheme would facilitate the delivery of new residential buildings with building heights ranging from 2-4 storeys on Elizabeth Street, 4 storeys on Phillip Street, 4-8 storeys on Walker Street and a taller building on the corner of Kettle and Walker Streets up to 9 and 16 storeys.
- 36. The revised scheme will provide the equivalent amount of GFA and achieve a similar number of apartments to the landowner's submitted scheme and as such the amendments to LEP would be consistent.



Figure 4: Revised scheme with PCYC (looking north)



Figure 5: Revised scheme if PCYC is secured off-site and replaced with housing (looking north)



Figure 6: Revised scheme with PCYC facing the park (looking south)



Figure 7: Revised scheme if PCYC is secured off-site and replaced with housing (looking south)

**Planning proposal - amendments to the Sydney LEP 2012**

37. The planning proposal at Attachment A proposes to amend the Sydney LEP 2012 to accommodate the revised scheme (recommended):
- (a) Amend the Land Application Map to include the subject site
  - (b) Amend the Land Zoning Map to introduce the R1 General Residential zone across the site
  - (c) Amend the FSR Map to change the existing floor space ratio of 1.5:1
  - (d) Amend the Height of Building Map to increase the maximum building height to various heights ranging from RL 50.3 (approx. 4 storeys) to RL 87.5 (approx. 16 storeys)
  - (e) Amend the Land Use and Transport Integration Map to introduce the Category B maximum car parking rate
  - (f) Amend the Public Transport Accessibility Level Map to introduce Category F public transport accessibility
  - (g) Amend the Acid Sulfate Soils Map to reflect Class 5
  - (h) Introduce new Active Street Frontages Map to apply active street frontage controls to the Elizabeth Street boundary of the site
  - (i) Amend clause 1.9 Application of SEPPs to ensure State Environmental Planning Policy (Affordable Rental Housing) 2009 does not apply to the site, and
  - (j) Insert a site-specific local clause for community facilities, affordable housing, BASIX, overshadowing. The proposed site-specific provision will facilitate:
    - (i) A bonus FSR is available if land for community facilities is provided for in the development, or, if arrangements are made by the land owner to provide community facilities elsewhere in the locality
    - (ii) A bonus FSR is available if the development exceeds BASIX commitments for water and energy, and
    - (iii) 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.
    - (iv) Any development on the site must not overshadow Redfern Park and Oval between 9.00-15.00.
    - (v) 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.

**Building heights**

38. This planning proposal seeks to introduce the following maximum building heights:
  - (a) RL 50.3 (approx. 4 storeys) on the southern section of Elizabeth Street, Phillip Street and the southern section of Walker Street
  - (b) RL 53.4 (approx. 5 storeys) on the northern section of Elizabeth Street
  - (c) RL 65.8 (approx. 9 storeys) on Kettle Street
  - (d) RL 87.5 (approx. 16 storeys) on the corner of Kettle Street and Walker Street, and
  - (e) RL 62.7 (approx. 8 storeys) on Walker Street and in the middle of the site.
39. The building height along Elizabeth Street creates a consistent building scale to Elizabeth Street and avoids overshadowing of Redfern Park and Oval.
40. The building heights along Walker Street are at a scale that suits the residential street and seek to minimise solar and visual impacts on the terraces east of Walker Street.
41. Four storey buildings with setbacks provide a sensitive interface with the Waterloo Conservation Area to the south of the site.
42. Kettle Street currently provides an important desire line through the Redfern Estate. Taller towers on Kettle Street and on the corner of Kettle Street and Walker Street reflect the larger apartment buildings adjacent to the site.
43. The ground level of the buildings on Elizabeth and Kettle Streets will be activated by shops, communal and community facilities, open spaces and residential entries. Retail uses would create active corners on the site.

**Floor space ratio**

44. This planning proposal seeks an FSR for the site of 1.5:1, to be included on the FSR Map in the LEP. Floor space incentives will be available in a site-specific local clause based on whether community facilities are provided as part of the development or if other arrangements are made.
45. If land for community facilities is provide in the development, an additional FSR of 0.75:1 is available for the development. This FSR is contingent on 3,500 square metres of contiguous land area being used for community facilities (both indoor and outdoor spaces).
46. If arrangements are agreed and secured elsewhere in the locality, an additional FSR of 1:1 is available for the development. A slightly higher FSR is applicable for a development without community facilities as more residential floor space can be achieved.
47. Regardless of the presence of community facilities, the development can achieve and additional FSR of 0.25:1, if the development exceeds BASIX commitments for water and energy.

48. Future development is also eligible for up to 10% bonus floor space, if a competitive design process is undertaken and design excellence is demonstrated. For a development including community facilities, the total FSR that can be achieved, including design excellence is 2.75:1. For a development with community facilities secured and built at an agreed location in the locality, the total FSR that can be achieved, including design excellence is 3.025:1

### **Housing Diversity and Affordability**

49. This Planning Proposal is supported by a Housing Diversity and Affordability Report. The report finds that the population in the area is highly diverse indicating the site requires a diversity of housing types to meet a broad range of housing needs, including housing suited to families, couple and single person households as well as housing suited to older people.
50. On 6 July 2018, the NSW Government announced the site as the pilot for Communities Plus build-to-rent. This means that all of the apartments will be for rent not sale. The project provides an opportunity for the private sector or the not-for-profit sector to fund, design, develop and manage the buildings as rental under a long-term lease. This is consistent with the NSW Government's Future Directions for Social Housing policy.
51. The NSW Government's Future Directions policy mandates that large redevelopments target a 70:30 ratio of private (including affordable) to social housing to enable more integrated communities. The proposed provision of up to 30% social housing on the site will provide good housing options for the area and the proposed provision for at least 10% of dwellings as affordable housing assists to meet the LGA overall target of 7.5%.
52. 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 at least 10% of residential GFA to be provided as affordable housing.

### **Police Citizens Youth Club (community component)**

53. This Planning Proposal includes a site-specific clause to provide land for the continued operation of a community facility on-site. This would allow for the PCYC to maintain its long-term presence in the area.
54. Given the long association of the PCYC with the area, NSW LAHC has committed to assisting the PCYC to find alternative accommodation either on-site or in the surrounding locality. LAHC is also willing to assist, up to the extent of applicable developer contributions on the site, if the City of Sydney recognises an equivalent works-in-kind offset.
55. To provide certainty for the PCYC and ensure the redevelopment of the site minimises any impact on the operation of the PCYC, this planning proposal structures incentive floor space based on the community floor space being included in the development or alternate arrangements made in the surrounding locality.
56. The draft Design Guide (or DCP) provides development scenarios for a substantial community facility as part of and at the same time as the redevelopment of the site, or an alternative if a community facility is facilitated as part of another development in the locality.

57. The functional brief for the community facility must be agreed by the City in consultation with the PCYC.

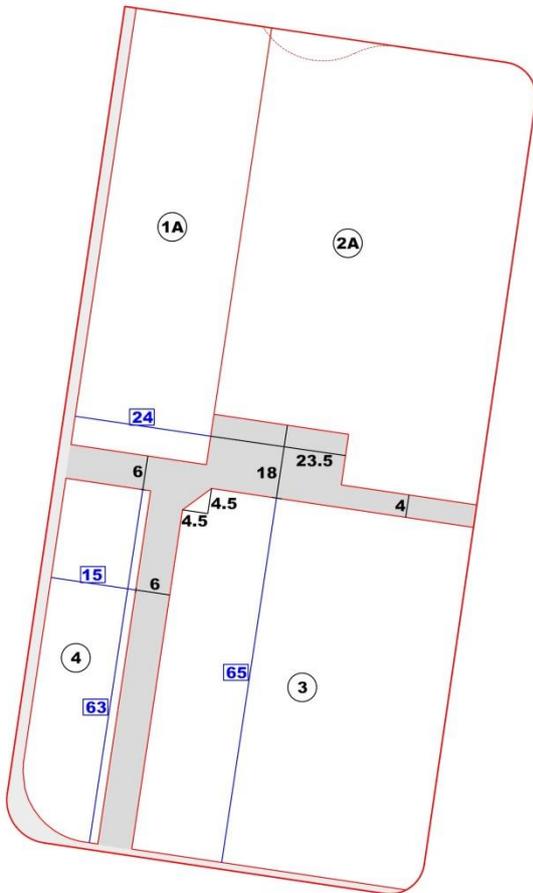


Figure 8: With community facility at '1A'

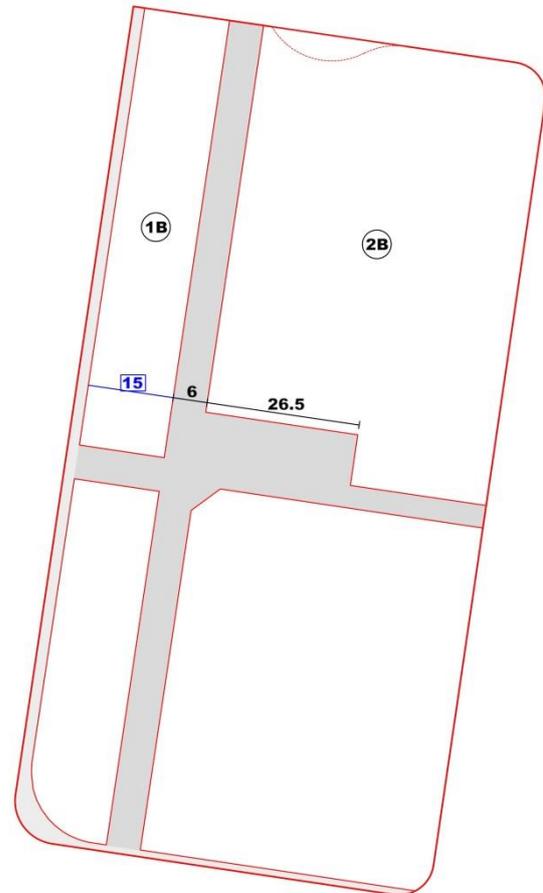


Figure 9: Without community facility

**Site-specific Design Guide (or DCP)**

58. A draft Design Guide is at Attachment B to this report and provides further guidance for development of the site consistent with the proposed amendments to the LEP. The draft Design Guide provisions include:

- (a) Infrastructure and servicing
- (b) Stormwater management
- (c) Street trees
- (d) Active frontages
- (e) Building height
- (f) Street frontage heights and setbacks
- (g) Building design and bulk
- (h) Parking and vehicular access

- (i) Public art, and
  - (j) Design excellence provisions.
59. The planning proposal recommends a reference to the Design Guide be included in Sydney LEP 2012. The draft Design Guide ensures that relevant development controls can be applied to any future development application without the need for a Stage 1 or concept DA. If future development application(s) are delegated to the City, it is recommended that the Design Guide be converted into a Development Control Plan.

## Key Implications

### Strategic merit

60. The planning proposal demonstrates strategic merit. It will make a meaningful contribution to the supply of social and affordable housing and continue to support a diverse community. The site is in an accessible location, and the buildings are of appropriate design with good environmental performance. The site-specific merits of the proposal are discussed below, followed by consistency with the Eastern City District Plan and the City's Sustainable Sydney 2030 strategy.

### Consideration of environmental impacts

61. The planning proposal is informed by a number of detailed studies prepared on behalf of the landowner. The studies are included as appendices to the planning proposal at Attachment A and will be publicly exhibited as supporting documentation and updated as required to support the revised scheme. The key relevant findings of the studies are discussed below.

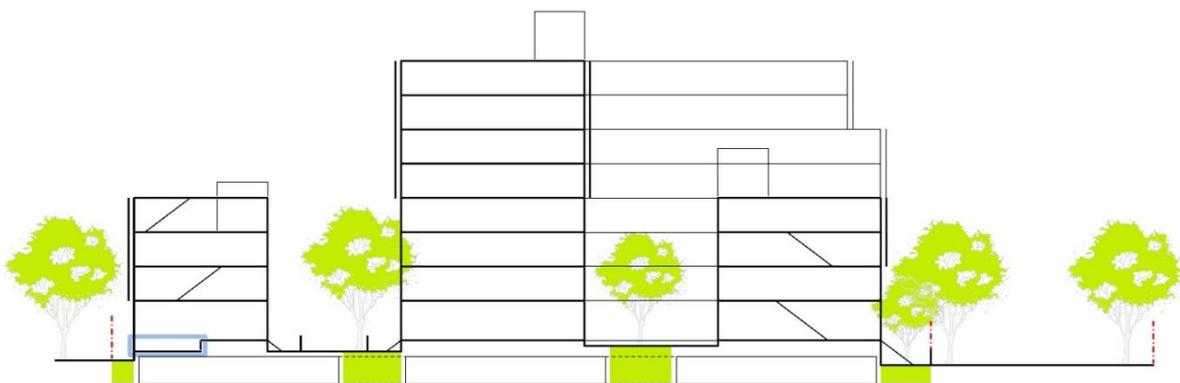
### Solar access and overshadowing

62. A key objective of this planning proposal is to not result in any additional overshadowing to Redfern Park and Oval. The revised scheme demonstrates that development on the site can be designed to achieve this outcome. To ensure that any development does not overshadow Redfern Park between 9am and 3pm, this planning proposal will include this site in clause 6.19 Overshadowing of certain public places in the Sydney LEP 2012.
63. To the east of the site, on Walker Street, there are 21 attached dwellings and two apartment buildings facing the Walker Street. Due to the existing building design, currently 5 of the 21 dwellings on Walker Street do not meet the minimum solar requirements to their front windows. However, all dwellings receive more than 2 hours of solar access to their rear private open space. In most dwellings, the kitchen and dining room is located adjacent to the rear private open space. The dwellings have excellent amenity to their rear backyards.
64. The focus of the revised scheme and draft Design Guide is to ensure the rear private open space and rear living spaces continue to achieve good solar access throughout the year. The draft Design Guide requires that at least 70% of the western face of a plane formed on the alignment of the western boundary of Walker Street receives 2 hours of sunlight on 21 June between 9am and 3pm (Figure 9).

65. Properties located to the south of Phillip Street form part of the Waterloo Conservation Area. The majority of dwellings on Phillip Street do not meet the minimum solar access requirements in the Sydney DCP 2012. As these properties will not change, redevelopment of the site should not result in any additional overshadowing to properties that do not meet the minimum 2 hours of solar access. The revised scheme provides a 4 storey built edge at this interface to minimise overshadowing to properties on the southern side of Phillip Street.

### Flooding and Stormwater

66. A Stormwater Strategy Report confirms the southern portion of the site is affected during the 100-year Average Recurrence Interval (ARI), and the entire site is affected by the Probable Maximum Flood (PMF). Under existing conditions there is significant ponding on Phillip Street, with a depth of 0.9 metres for the 100-year ARI and up to 2.8 metres for the PMF.
67. The stormwater assessment confirms that redevelopment of the site must be designed to meet the following flood planning levels:
- Flood Planning Level (FPL) will be 100-year ARI flood level + 0.5 m freeboard for entrances to habitable areas (FPL equates to RL 32.7 metres on the site)
  - 100-year ARI flood level to above ground carparks
  - Where the depth of flow is less than 0.25 metres, the FPL may be reduced to twice the flow depth, or at least 0.3 metres, above the 100-year ARI flood level, and
  - FPL will be PMF for below ground garages and carparks.
68. The draft Design Guide seeks to minimise the negative streetscape and access impacts of the high FPL. Figure 10 shows commercial uses at ground floor facing Elizabeth Street with flood resistant construction for part below the FPL (shown with a blue outline)



**Figure 10: East-west section**

69. To offset potential flooding impacts, mitigation measures will be required. This may include a combination of on-site detention, compensatory floodplain storage and conveyance works that minimise or counteract the impact of obstructions placed within the existing flow paths across the site.

70. The stormwater assessment identifies the need for drainage improvements along Elizabeth Street, Kettle Street and Walker Street to compensate for the loss of the overland flow paths across the site. Street frontage setbacks will be required. A detailed flood assessment will be required as part of subsequent development applications for the site.

#### **Trees, landscape and deep soil**

71. An Arboricultural Impact Assessment report assesses the potential impacts of the development footprint on the tree protection zones of trees in the study area.
72. Of a total 67 trees on the site and within the adjacent streets, 11 trees were identified as high retention value. Most of the high retention trees are street trees, identified as having high retention value due to their landscape quality. These trees are located on Walker Street and would be impacted as a result of basement access to the site.
73. To mitigate any potential loss of trees, the planning proposal provides for a minimum 15% tree canopy cover on the site. This improves on that required by the Apartment Design Guide (ADG) and will ensure any loss of trees is adequately offset and will improve landscape values and biodiversity outcomes with more appropriate tree plantings.
74. One threatened flora species *Syzygium paniculatum* (Magenta Lilly Pilly), listed as endangered under the BC Act and vulnerable under the EPBC Act is located on the southern boundary of the site, beside the footpath. The revised scheme will not require removal of this tree.
75. The draft Design Guide advises that landscape areas must be provided in accordance with Figure 11, including landscaped private open space and landscaped communal open space.
76. The draft Design Guide advises that a minimum of 1650 square metres of deep soil in spaces predominantly located in the areas shown green on Figure 12.

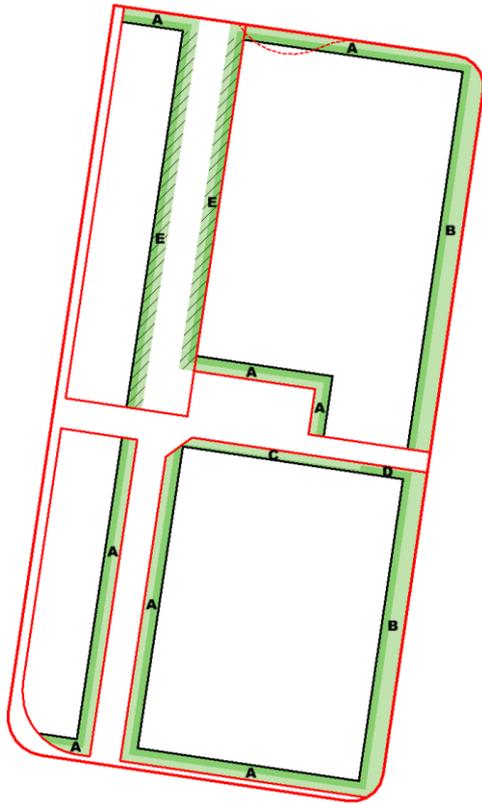


Figure 11: Landscape Area (shown green)

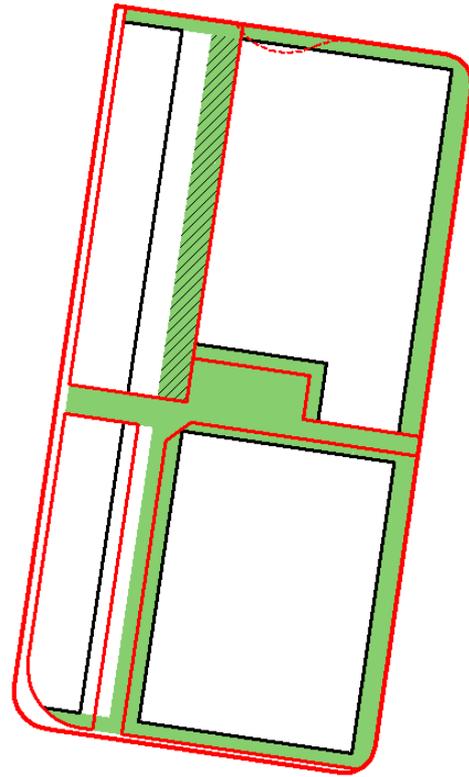


Figure 12: Deep soil (shown green)

### View analysis

77. The proposed development would not be visible from the northern entry to Redfern Park, but would become visible towards the Oval. From Redfern Park, proposed buildings on Elizabeth Street are absorbed by the existing vegetation, with minimal visual impacts.
78. From Redfern Oval the proposed buildings on Elizabeth Street and tower on Walker Street would be visible. Although the buildings would be visible, the impact is considered low as the views are consistent with the existing views to Waterloo Estate buildings from Redfern Oval.
79. From the Waterloo Conservation Area, the visual impact of the development is minimal. The proposed 4 storey-built edge, building setbacks, tree planting and good quality design on the corner building in particular, will minimise visual impacts.
80. From Walker and Kettle Streets the development is visible but is appropriate in its context. The established built form in the surrounding area is a mix of medium and high-density housing.

**Wind assessment**

81. An analysis of the Wind Assessment prepared to support the reference scheme and the revised preferred scheme demonstrates that all ground level areas can satisfy the appropriate wind comfort and safety criteria as outlined in the Sydney DCP 2012 if the recommended mitigation measures are incorporated within the detailed design phase. Wind mitigation measures will be provided as part of subsequent development applications for the site.

**Traffic and transport assessment**

82. A Traffic Impact Assessment has been prepared to support the planning proposal. Traffic modelled indicates that all intersections immediately adjacent to the site are operating at good to satisfactory operation levels and no intersections have capacity constraints. The road network has capacity to accommodate future demand generated by the development.
83. The site is within walking distance Redfern train station (850m) and the future Waterloo Metro (900m). The walking connection to Redfern station is along well-defined pedestrian paths through Redfern Park and along Redfern Street.
84. The site has excellent access to bus services with bus stops located on Elizabeth Street and Phillip Street, adjacent to the site. There is a midblock pedestrian crossing linking the site to city bound buses operating on Elizabeth Street. Bus services provide access to the City, Redfern, Marrickville, Mascot, Eastgardens, and Bondi Junction. These buses operate at relatively high frequencies during peak periods.
85. The pedestrian network surrounding the site is generally well-developed with footpaths along the majority of roads and controlled pedestrian crossings at most signalised intersections. Kettle Street and Walker Street have both been closed reducing the volume of traffic and making them suitable for cycling and walking and potentially limited service access.
86. The site is well serviced by existing and planned regional cycle routes on Redfern Street and Young Street. A number of planned local cycle routes on Walker Street and Young Street will improve the cycling network immediately surrounding the site.

**Car Parking**

87. The future redevelopment of the site could result in a maximum of 215 car parking spaces on the site. This planning proposal seeks to apply the Category B car parking rate in the LEP to the site to determine the maximum number of car spaces. However, a broader review of LEP parking rates is currently underway which will take into account the increased accessibility of the site with Waterloo Metro station in place. This may result in a lower car parking rate being applied in a future LEP amendment.
88. Notwithstanding, 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.

**Vehicular Access and Circulation**

89. Vehicular access and circulation is to be in accordance with the draft Design Guide (or DCP). Key vehicle access and circulation is shown in Figure 13 and seeks the following as referenced in Figure 14:

- 'A' No vehicular access to on-site parking below the FPL
- 'B' Preferred frontage for vehicular access to on-site parking with a floor level below the FPL
- 'C' Required service and loading vehicle left in only entry to the above ground Access Connections
- 'D' No vehicular access to or from Elizabeth Street
- 'E' Required service and loading vehicle left out only exit only from the above ground Access Connections
- 'F' Required service and loading vehicle left in only entry to the above ground Access Connections, to be provided if the community facility is not on site
- 'G' Shared pedestrian and service and loading vehicles in the Access Connections

90. Loading and waste servicing is to be in accordance with the draft Design Guide and is shown in Figure 12. Areas in pale orange are shared pedestrian, loading and service vehicle circulation and parking. Purple lines are potential waste storage locations and loading docks.

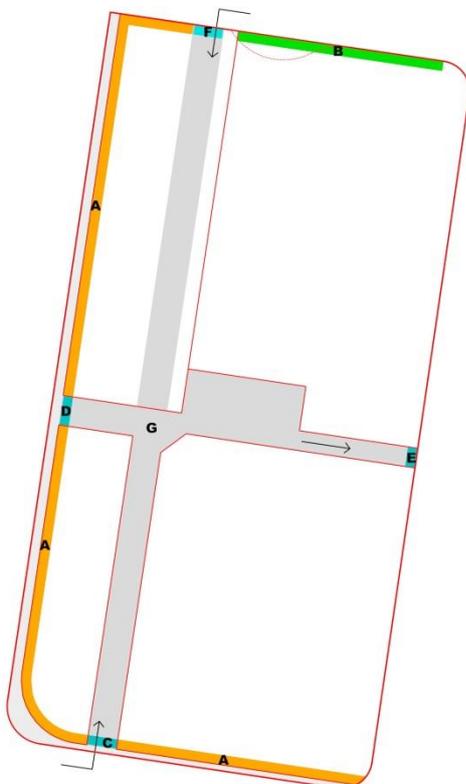


Figure 13: Access and Circulation

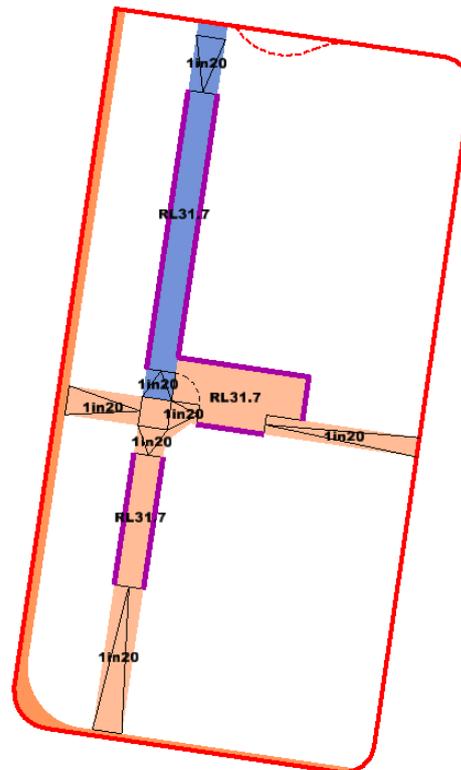


Figure 14: Gradients, Service Access

**Heritage**

91. The site is not identified as a heritage item but is located adjacent to a State Heritage item and a heritage conservation area. The reference scheme has been designed in response to this heritage context, including appropriate interfaces to adjoining heritage items and conservation areas. A preliminary heritage assessment finds that the proposed development does not generate any unacceptable impacts to surrounding heritage items and will not result in visual dominance over, or detract from, the context or setting of these items.

**Aboriginal Cultural Heritage and Archaeology**

92. This planning proposal is supported by a preliminary Aboriginal Cultural Heritage Assessment. The assessment includes extensive desktop assessment and the initiation of Aboriginal consultation in accordance with Department of Planning, Industry and Environment guidelines. The results and recommendations in the report are preliminary and will be updated as the planning process progresses.
93. The preliminary assessment concludes that rezoning the site would not result in impacts to any known or potential Aboriginal archaeological sites or deposits, or Aboriginal cultural values areas.
94. Although the assessment did not identify any Aboriginal sites, objects, sandstone rock outcrops or culturally modified trees during this assessment, the site is considered to contain moderate archaeological potential and potential for contemporary and historical Aboriginal cultural value.
95. The assessment recommended further archaeological investigation in accordance with Office of Environment and Heritage policies and guidelines. This assessment concluded that it is unlikely there would be a requirement for any significant changes to the proposal based on the outcomes of the assessment. There may be a need for minor re-design and/or mitigation measures (e.g. salvage excavation, surface collection, interpretation, etc.) in any areas where significant cultural material is identified.
96. Heritage consultants are currently progressing with further investigation and formal Aboriginal community consultation. The final assessment will be provided as supporting documentation to any future development applications for the site.

**Design Excellence**

97. Future development on the site should be subject to an architectural design competition consistent with the requirements of clause 6.21 of the LEP. The accompanying draft Design Guide includes design excellence provisions for an architectural design competition.

**Strategic Alignment - Greater Sydney Region Plan**

98. A Metropolis of Three Cities - The Greater Sydney Region Plan is the NSW Government's overarching strategic plan for growth and change in Sydney. The 20 year plan provides a 40 year vision that seeks to transform Greater Sydney into a metropolis of three cities. It outlines how Greater Sydney will manage growth and change and will guide infrastructure delivery.

99. The Greater Sydney Region Plan is to be implemented at a local level by District Plans. This planning proposal is consistent with the following relevant directions and objectives of the Plan:
- (a) Infrastructure - redevelopment of the site will benefit from additional transport infrastructure capacity and will contribute towards the delivery of new community infrastructure.
  - (b) Liveability - the proposal responds to the increasing demand for social and affordable housing options in the inner city.
  - (c) Productivity - the sites proximity to a range of public transport infrastructure, jobs and services is consistent with the 30-minute city concept.
  - (d) Sustainability - the proposal will facilitate the redevelopment of the site with new buildings featuring improved sustainability outcomes.

#### **Strategic Alignment - Eastern City District Plan**

100. The Eastern City District Plan sets the local planning context for the City of Sydney local government area and provides a 20 year plan to manage growth. This planning proposal gives effect to relevant planning priorities from the Plan:
- (a) Planning Priority E1 – Planning for a city supported by infrastructure
  - (b) Planning Priority E3 – Providing services and social infrastructure to meet people’s changing needs
  - (c) Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities
  - (d) Planning Priority E5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport
  - (e) Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District’s heritage
  - (f) Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city
  - (g) Sustainability Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently
101. This planning proposal supports the above key directions in that it will provide increased residential capacity of a site near to jobs, services and amenities; provide new social and affordable housing in an area of increasing demand; renew a predominately vacant Government owned site and exceed sustainability targets.

**Strategic Alignment - Sustainable Sydney 2030**

102. 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 strategic directions and objectives:
- (a) 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.
  - (b) Direction 2 provides a road map for the City to become A Leading Environmental Performer - Redevelopment of the site, facilitated by this Planning Proposal and through the design excellence process, will deliver new building stock with significantly better environmental performance through incentives for higher BASIX performance.
  - (c) Direction 3 - Integrated Transport for a Connected City - The site is close to bus services providing connections to Central Sydney and other areas in the Sydney metropolitan area. It is also close to the future Waterloo Metro station.
  - (d) Direction 4 - A City for Walking and Cycling - The proposal will support active transport use in accordance with this Direction, with public domain improvements and new through site connections.
  - (e) Direction 5 - A Lively and Engaging City Centre - Retail spaces for local services will be provided in key locations to service future and existing residences and facilitate activation during the day and night.
  - (f) Direction 6 - Vibrant Local Communities and Economies - The proposal will provide for safe and attractive open spaces, and improved public domain, along with shared communal spaces to encourage community interaction.
  - (g) Direction 7 - A Cultural and Creative City - Further opportunities for cultural and collaborative expression will be enabled within public and communal spaces.
  - (h) Direction 8 - Housing for a Diverse Population - 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 encourage a thriving, diverse and a liveable community in the Redfern area.
  - (i) Direction 9 - Sustainable Development, Renewal and Design - The development will provide a sustainable approach to urban density, through providing a range of housing types within a dense inner-city suburb. The site is easily accessible via transport, walking and cycling.

**Strategic Alignment - Local Strategic Planning Statement**

103. The City of Sydney's 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.

104. This planning proposal gives effect to the following planning priorities of the Statement:

Infrastructure

I1 – Movement for walkable neighbourhoods and a connected city

I3 – Supporting community wellbeing with social infrastructure

Liveability

L1 – A creative and socially connected city

L2 – Creating great places

L3 – New homes for a diverse community

Sustainability

S2 – Creating better buildings and places to reduce emissions and waste and use water efficiently

S3 – Increasing resilience of people and infrastructure against natural and urban hazards

Governance

G1 – Open, Accountable and collaborative planning

### Relevant Legislation

105. Environmental Planning and Assessment Act 1979.

106. Environmental Planning and Assessment Regulation 2000.

### Critical Dates / Time Frames

107. Should Council and the Central Sydney Planning Committee endorse the attached planning proposal for public exhibition, it will be forwarded to the Department of Planning, Industry and Environment in accordance with section 3.34 of the Act for Gateway determination to proceed with consultation or resubmit the planning proposal.

108. Following the Gateway determination, the typical timeframe is 21 days for public authority consultation and 28 days for public exhibition. The Gateway determination will also determine the general date for the completion for the amendment to the LEP. The terms of the Gateway determination will hopefully determine whether the City proceeds with the Design Guide approach or a draft DCP prior to the public exhibition process.

109. Following public authority consultation and public exhibition, the outcomes will be reported back to Council and the Central Sydney Planning Committee.

### Delegation of Ministers Plan Making Functions

110. In October 2012, the Minister for Planning delegated plan-making functions to councils to improve the local plan-making process. In December 2012, Council resolved to accept the delegation.
111. Council is to receive case-by-case authorisation to exercise this delegation, which is granted through the gateway determination process for spot rezonings that are consistent with surrounding zones and matters of local significance. Exercising the delegation means a faster plan-making process with less involvement of the Department of Planning, Industry and Environment.
112. This report recommends Council seek authority to exercise the delegation of the Minister for Planning of the functions under section 3.36 of the Act to make the local environmental plan.

### Public Consultation

113. The public exhibition process for this planning proposal will be determined by the Department of Planning, Industry and Environment. It is proposed that the public exhibition of the planning proposal and draft Design Guide or draft DCP will run concurrently. The consultation will be in accordance with the requirements of:
  - (a) the gateway determination issued by the Department of Planning, Industry and Environment under section 3.34 of the Act;
  - (b) the Environmental Planning and Assessment Regulation 2000; and
  - (c) the City of Sydney Community Participation Plan 2019.
114. This would most likely mean the public exhibition would be a minimum of 28 days, with notification:
  - (a) on the City of Sydney website; and
  - (b) in newspapers that circulate widely in the City of Sydney local government area.
115. The planning proposal and draft Design Guide or draft DCP will be publicly exhibited online on the City of Sydney website in accordance the Planning and Assessment for Councils during Covid-19 guidelines issued by the Department of Planning, Industry and Environment in April 2020 and in accordance with the Environmental Planning and Assessment Regulation 2000.

### GRAHAM JAHN, AM

Director City Planning, Development and Transport

Wayne Williamson, Senior Planner