

City of Sydney

PLANNING PROPOSAL

Sydney Local Environmental Plan 2010 – Glebe Affordable Housing Project

Proposal to prepare a new local environmental plan for
1-3 and 2-6 Elger Street and 83 Bay Street, Glebe

May 2010



Prepared by City of Sydney

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Introduction

On 28 April 2008, The Lord Mayor of Sydney and NSW Housing Minister signed a memorandum of understanding to investigate the potential of redeveloping Housing NSW and City of Sydney land in Glebe and Ultimo, to increase the supply of affordable housing in the city. This planning proposal (the Proposal) applies to the Housing NSW land.

A series of feasibility, design and technical studies support the redevelopment of the site, finding that a new development would enable:

- the replacement of the existing social housing with new stock that more closely matches the needs of Housing NSW tenants, in terms of amenity and accessibility;
- the addition of a significant amount of affordable housing to complement the new social housing, and accommodate the introduction of market housing to not only help fund the social and affordable housing, but also provide a diversity of housing types, to reflect the diversity of households in the community;
- the creation of a more legible and permeable public domain, including better pedestrian and cycling facilities and public open space; and
- a better integration of development on site with the surrounding neighbourhoods and the public domain through street edge buildings with multiple entrances and articulation, including the activation of some streets through ground floor retail.

The Proposal is to make the necessary changes to the planning controls to enable the proposed redevelopment. The Proposal, as well as an accompanying development control plan, would also ensure any potential impacts of redevelopment on, for example, traffic, sunlight access, heritage significance, and residential amenity are minimised.

Site Identification

The site is located in Glebe, bounded by Bay, Wentworth and Cowper Streets and the rear of properties along Queen Street. The site is legally described as Lots 1 and 2 in Deposited Plan 233310 and Lot 2 in Deposited Plan 89872. The properties within the site are known by street addresses 1-3 Elger Street, 2-6 Elger Street and 83 Bay Street, Glebe. The site also incorporates the Council-owned Elger Street and Stirling Street, Glebe, road reserves.

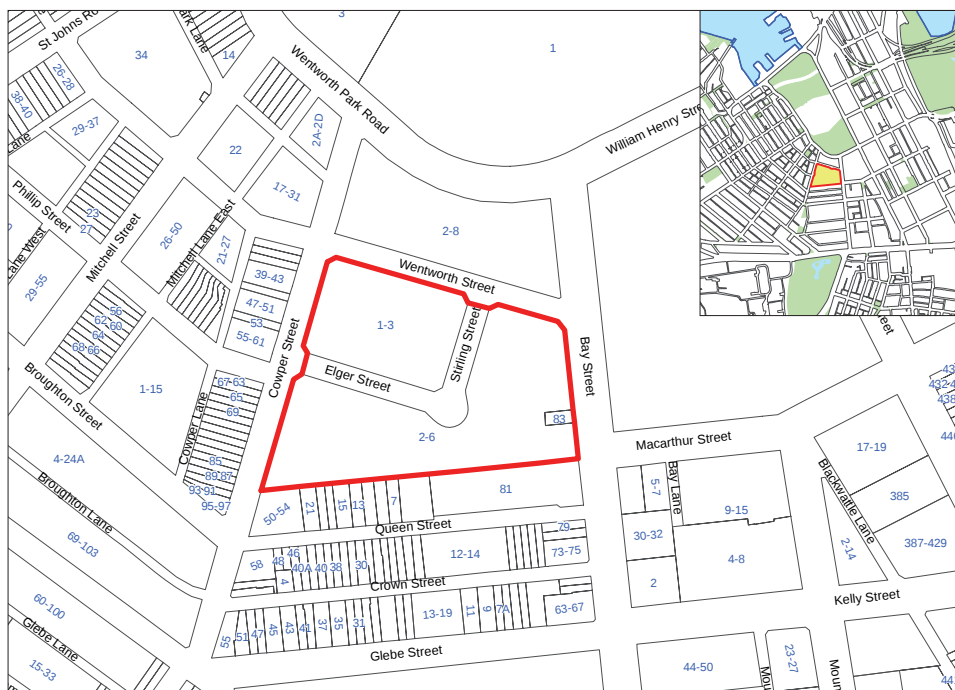


Figure 1: Block plan of land affected by the Proposal (red outline)



Figure 2: Aerial photograph of land affected by the Proposal (red outline)

Part 1 - Objectives & Intended Outcomes

Objective

The objective of the Proposal is to permit development of residential flat buildings on the subject site of between four storeys (15m) and ten storeys (33m) in height (with greater heights at the eastern and northern edges), with ground floor retail and around 480 dwellings that are a mix of social, affordable and private housing.

Intended Outcomes

The Proposal would enable the existing social housing on site to be replaced and expanded with upgraded amenities that more closely match the needs of Housing NSW tenants. It would also enable the new social housing to be complemented with a mix of new affordable housing and market housing. It would enable ground floor retail, to activate Bay Street, and would allow for the adjustment and expansion of the road network to improve the connections between Glebe and Ultimo.

The Proposal would also ensure the future development integrates with the existing neighbourhoods surrounding the site, and provides a transition from the higher, bulkier building character of Ultimo and the lower scale character of Glebe.

Part 2 - Explanation of Provisions

The subject site is currently within the coverage of Leichhardt Local Environmental Plan (LEP) 2000. An outline of the key controls under Leichhardt LEP 2000, the existing conditions on the site, and the key controls proposed by the Proposal are outlined in Table 1.

Table 1 – Summary of key controls:

	Leichhardt LEP 2000	Existing Conditions	Proposed Controls
Land use zoning	Residential ¹	Residential (and electrical substation).	General Residential ¹
Density	A maximum FSR of 0.7:1 (equivalent to a GFA of 11,160m ²) ²	An approximate GFA of 10,677m ² (or a FSR of 0.67:1) ^{2, 3}	A maximum GFA of 36,500m ² (equivalent to a FSR of 2.29:1) ² ; of which only 20,500m ² (or 1.29:1) ² can be for uses other than social or affordable housing
Maximum building height	–	Between one to four storeys (or between 6m and 15m) ⁴	Between 21m and 33m (or between six and ten storeys) ⁴
Heritage conservation area	Within Glebe Heritage Conservation Area	Insufficient heritage significance to warrant listing ⁵	No heritage listing – property removed from existing heritage conservation area ⁶

Notes: ¹ Under the Leichhardt LEP 2000 roads are unzoned, but in line with Standard technical requirements for LEP Maps, available from the Department of Planning, roads would be zoned to match adjacent land, in this case general residential; ² based on a site area of 15,944m²; ³ GFA (gross floor area) estimate based on the sum of each building's estimated footprint multiplied its number of storeys, and multiplied by an efficiency factor of 0.85; ⁴ based on 3m per storey plus 3m of roof height; ⁵ based on Glebe Conservation Area Study 2008 and Heritage Assessment and Outline of Conservation Guidelines (see Table 4 for details); ⁶ in line with previous Council resolution (see Table 4 for details).

The Proposal is for the creation of a new, standard instrument-based LEP that would replace the existing instrument in force at the site. The proposed instrument is based on the mandatory provisions of the standard instrument, as well as the optional standard provisions outlined in Table 2.

Table 2 – Proposed optional standard instrument provisions:

Provision	Explanation
4.3 Height of buildings	This limits the permissible heights of future development, as shown on proposed map.
5.6 Architectural roof features	This enables architectural roof features to exceed the building height limit, under certain conditions.
5.9 Preservation of trees or vegetation	This ensures future development retains significant vegetation on site.

In addition to these standard provisions it is proposed the local provisions outlined in Table 3 be included.

Table 3 – Proposed local provisions:

Provision	Explanation
1.1A Commencement	This states the commencement of the LEP.
1.8A Savings provision relating to development applications	This ensures any development applications submitted but not determined upon commencement remain valid.
2.6A Demolition requires consent	This ensures demolition is only carried out with development consent.
6.1 Acid Sulfate Soils	This ensures any development on land containing, or potentially containing, acid sulfate soils does not result in environmental damage caused by acid sulfate soils.
6.2 Flood planning area	This ensures any development does not impact, and is not impacted by, flood planning and flow regimes.
6.3 Public utility infrastructure	This ensures any development is capable of being serviced by utilities like water, sewerage and electricity.
6.4 Design excellence	This ensures development design is assessed as part of development applications.
6.5 Car parking ancillary to other development	This places an upper limit on any car parking provided as part of future developments.
6.6 Maximum development capacity	This places an upper limit on the permissible gross floor area, and ensures a proportion of that capacity is realised as social and affordable housing. This clause is more flexible than 4.4 Floor Space Ratio, as it does not constrain development potential to individual land titles.

More detailed drafting instructions are provided at Attachment A.

The following maps have been drafted: Land Zoning Map (including Land Application), Height of Building Map, and Acid Sulfate Soil Map. No information would be included in a heritage map, land acquisition map, or lot size map, so these have not been drafted. The proposed maps are shown at Attachment B.

Part 3 - Justification

Section A - Need for a planning proposal

1. Is the planning proposal a result of any strategic study or report?

The subject site was identified as part of a demonstration project, the Glebe Affordable Housing Project, outlined in the City of Sydney's local strategic plan, Sustainable Sydney 2030. The project was considered an ideal demonstration of the delivery of affordable housing in the City, the renewal of NSW Government land, and an effective partnership between government agencies.

The project covers both the land subject to the Proposal, and an adjacent site, currently used as a City of Sydney depot. A memorandum of understanding (MoU) was signed by the Lord Mayor and the NSW Housing Minister, on 29 April 2008, to commence the project by assessing the sites' suitability for redevelopment to provide affordable housing.

Following the MoU a number of technical studies were undertaken as part of this assessment. Complex flood and contamination issues on the Council depot site need further assessment, so this planning proposal has been prepared covering only the Housing NSW properties, Council-owned road reserves and a small substation parcel owned by Energy Australia. A summary of the technical studies is provided in Table 4.

Table 4 - Summary of technical studies:

Study, Author and full text location	Summary
Analysis of the Site and Surrounds, Background and History, and Planning Principles and Response to Council's Letter <i>Gary Shiels and Associates</i> Attachment C Attachment D	Analysis of the Site and Surrounds, Background and History, and Planning Principles, submitted as sections of the proponent's submission to the Proposal, find a diversity of built form around the site, reflecting the complex history of the area and the variety of existing uses. The planning principles, based on the findings of the studies outlined below, guided the aims and objectives of the proposed planning instrument. Other sections of the proponent's submission have been incorporated into relevant sections of the Proposal and are not attached. Additional information was also provided by the proponent, in response to questions made by Council. This gave greater detail of how the social and affordable housing would be delivered and managed: through partnerships with not-for-profit developers and by registered community housing providers, respectively. Both would be provided in perpetuity. It also provided more detailed explanation of the proposed distribution of heights: to create a transition in scale between the existing neighbourhoods of Glebe and Ultimo; to address surrounding streets; and to maximise the slope, views and location of the site and the potential for solar access.
Feasibility and Design Report <i>Hill Thalys Architecture and Urban Projects</i> Attachment E	The report recommends new street connections, and street edge buildings with multiple entrances to provide positive frontage and oversight of the public domain. It identifies that buildings with a range of heights of between four and seven storeys could remain compliant with building design codes. This would enable a yield of around 500 dwellings that would be well serviced, as the site is ideally located for medium to high density development due to its proximity to existing infrastructure.
Concept Designs, Solar Analysis Diagrams and Landscape Designs <i>Hill Thalys Architecture and Urban Projects and Jane Irwin Landscape Architecture</i> Attachment F	These designs provide a greater level of detail than the initial feasibility and design report, and demonstrate a potential outcome enabled by the Proposal.

Study, Author and full text location	Summary
Heritage Assessment and Outline of Conservation Guidelines <i>John Oultram Heritage & Design</i> Attachment G	The report concludes that the current development, Wentworth Street Estate, that was built between 1953 and 1967 as part of the NSW Government's slum clearance programme is not of a level of significance that precludes major change or even complete redevelopment. The report does identify some kerbing to Stirling Street that is worthy of retention.
Glebe Conservation Area Study 2008 <i>City of Sydney</i> www.cityofsydney.nsw.gov.au/Development/HeritageInformation/Glebe-ConservationAreaStudy.asp	This earlier study of the broader Glebe Conservation Area recommends the Conservation Area, which the subject site is currently within, be replaced with seven new conservation areas upon the introduction of a principal LEP. This approach was endorsed by Council on 10 March 2008. Under the new boundaries the subject site is not within a conservation area. Consistent with this approach, the Proposal does not include a conservation area.
Traffic, Transport and Parking Study and City of Sydney Transport Issues <i>ARUP</i> Attachment H Attachment I	The study identifies opportunities and constraints of the project, in terms of existing road and transport infrastructure. An additional report, in response to issues raised by Council, concludes that the availability of alternative modes of transport close to future residents would keep the demand for car parking very low, and that traffic generated by the proposed development would be modest. It did identify the need for traffic management controls to prevent 'rat runs'.
Flood and Stormwater Study <i>Hughes Trueman</i> Attachment J	The flood study provides a preliminary investigation of flooding within the site in accordance with the NSW Floodplain Development Manual. The report concludes that the sections of the site within both the Blackwattle Bay and the Cowper Street catchments are not considered flood prone land, as defined by the NSW Floodplain Development Manual, but that surrounding streets, such as Cowper Street and Bay Street, are flood prone and are identified as overland flow paths.
Preliminary Geotechnical and Contamination Assessment <i>Douglas Partners</i>	The study provides an assessment of the soil and groundwater conditions, an assessment of the existing contamination on site and the potential for acid sulfate soils. The report found generally low levels of contamination, but that some findings warrant further investigation. The report also identifies some potential groundwater and acid sulfate soils at the northeast corner of the site, that require further investigation if significant excavation is proposed there. Interim audit advice, by a DECCW accredited auditor, was also submitted, and states that the investigation works and proposed remediation strategy comply with relevant EPA technical guidelines and policies, and that the site can be made suitable for proposed use.

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

The proposed redevelopment is likely to have a significant benefit to the community, but changes to the existing planning instruments are necessary if the development is to be permitted under local planning controls (for assessment under Part 4 of the EPA Act 1979).

It is considered more appropriate to prepare a new standard template-based LEP, rather than an amendment to the existing Leichhardt LEP 2000, as the exhibition and gazettal of a draft principal LEP for the local government area is expected soon. As such the Proposal would enable easy integration of any LEP prepared for the subject site into the principal LEP.

The principal development standards outlined in the Proposal are considered the best means of achieving the objectives and intended outcomes; allowing for flexibility in design while maintaining the intended overall built form.

Alternative approval processes available to Housing NSW outside Part 4 of the EPA Act 1979 (such as Part 3A and Part 5) that would enable the redevelopment of the site without a planning proposal are considered less desirable. Assessment under Part 4 enables community involvement through a consultation and planning process consistent with those processes in surrounding areas, and can take advantage of Council's ideal position to respond to issues raised in community consultation.

Under Part 4, Council is also better able to assess whether future development is consistent with Council's broader local planning objectives, including urban design and heritage considerations, integration and compatibility with surrounding development, community consultation and design excellence. Council, with the input of the Central Sydney Planning Committee, is also well placed to balance these local planning objectives and community aspirations with NSW Government priorities and strategic directions.

Is the planning proposal consistent with the applicable Evaluation Criteria, as outlined in 'Department of Planning Circular PS06-005 – Local Environmental Plan Review Panel'?

Given the nature of the Proposal, the most relevant criteria in the circular are those outlined in Category 1 – Spot Rezoning LEP. The consistency of the Proposal with these criteria is outlined in Table 5.

Table 5 – Consistency with LEP Review Panel evaluation criteria:

Department of Planning Criteria	Statement of Consistency
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	Yes, the Proposal would enable an increase in social, affordable and market housing within the established urban footprint; in an area well serviced with infrastructure, including public transport, shops, parks and employment opportunities.

Department of Planning Criteria	Statement of Consistency
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (section 117) directions?	Yes, the Proposal enables residential growth, consistent with the broader strategic housing strategies of the Metropolitan Strategy, draft Sydney Subregional Strategy and Ministerial Directions, as outlined herein.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Yes, the Proposal covers land located within one kilometre of Global Sydney, 400m of Broadway Town Centre, 400m of the Sydney Education and Health Precinct, and 400m of the Pyrmont Ultimo Precinct.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	The permissibility of retail uses in the Proposal would enable more, diverse employment generating activity at street level in the area. As the Proposal covers land that is currently used as and zoned for residential land uses, however, it would not result in the loss of employment lands.
Will the LEP be compatible/complementary with surrounding land uses?	Yes, the Proposal is compatible with the surrounding mix of commercial and residential land uses. The primarily residential uses enabled by the Proposal complement existing residential developments in the area, including larger scale infill developments to the East, in Ultimo, and lower scale residential neighbourhoods to the West, in Glebe. The proximity of large areas of open space, at Wentworth Park and Victoria Park also supports locating a higher density of residential uses on the land. The expansion of ground floor retail along Bay Street would also help integrate the site with nearby Broadway Town Centre. Careful consideration has been given to the most appropriate building form to integrate new development on site with surrounding built environment as part of the Feasibility and Design Report, attached, including compatibility with possible future uses on an adjacent Council depot site.

Department of Planning Criteria	Statement of Consistency
Is the LEP likely to create a precedent; or create or change the expectations of the landowner or other landholders?	The Proposal has unique circumstances, including government ownership and identification in a strategic plan, limiting the application of any precedent established. The land covered by the Proposal is owned by Housing NSW, Council (road reserves) and Energy Australia. The Proposal was also preceded by the land being identified for potential renewal in a Council strategy, Sustainable Sydney 2030, and a memorandum of understanding between the City of Sydney and Housing NSW to investigate the suitability of the site for renewal. The Proposal ensures, through a cap on the development potential for other purposes, that a proportion of the development capacity is realised as social and affordable housing. This will establish the precedent that any increase in FSR and height is inextricably linked to the social benefit provided through an increased capacity for social and affordable housing.
Will the LEP deal with a deferred matter in an existing LEP?	No.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes, cumulative effects have been considered: only one other site-specific LEP amendment is considered to be in the locality, at Harold Park Paceway in Forest Lodge. As the two planning proposals are the subjects of separate extensive strategic and environmental impact assessment, they are not thought to result in any adverse cumulative impact. In addition, two other site-specific amendments being prepared: the Commonwealth Bank 'Money Box', and the 'APDG Block' bounded by Alfred, Pitt, Dalley and George Streets, both in Central Sydney. The Proposal does not apply to land within the same locality as these sites. Another planning proposal currently being finalised, although not a spot rezoning, expands the area in which City West Housing, an affordable housing provider, can spend funds levied in Green Square and Ultimo-Pyrmont. The Proposal is consistent with that planning proposal, and would not result in any adverse cumulative impact. A principal LEP for the whole local government area is also being prepared, and the Proposal is considered consistent with controls proposed as part of that LEP.

3. Is there a net community benefit?

The Proposal would enable development on the site that creates a number of community benefits. It would enable a new, more responsive and integrated urban form. It would also enable a more diverse residential population in the area, generated by improved social housing, new affordable housing and a quantum of market housing. Some temporary or otherwise minor adverse outcomes of the development enabled by the Proposal would be minimised and largely mitigated through development controls that would be in place along with the proposed LEP. The potential benefits of the enabled development far outweigh the potential adverse impacts, generating a net community benefit. A summary of the pros and cons are outlined in Table 6.

Table 6 – Net Community Benefit analysis:

Pros	Cons
Construction employment opportunities The construction of development enabled by the Proposal would generate a number of jobs in the construction, planning and design sectors. Investment in economic stimulus This redevelopment would also generate a benefit to the broader economy, and utilises Commonwealth and NSW Government funding strategies, aimed at stimulating the economy. Land remediation and flood management improvements The redevelopment would create an opportunity to improve any contamination or flood management issues, associated with the site's historical use and development and its location in proximity to flood affected land. Upgrades to infrastructure The proposed redevelopment involves the expansion and creation of new road reserves, which would be accompanied with any necessary upgrade and integration of associated infrastructure, including cabling, storm water drainage and sewerage. The upgrade also has the potential to incorporate water sensitive urban design measures like rain gardens as part of the road reserves. The proposed redevelopment also involves the relocation and integration of an existing electricity substation on site, creating an opportunity to upgrade this infrastructure. Improved connectivity between Ultimo and Glebe The proposed road reserves also improve the connectivity between surrounding suburbs and street networks, and incorporate a high level of pedestrian and cyclist amenity to access surrounding parks, shops, and community services. Replacement of outdated social housing with improved social housing The existing housing stock is no longer meeting the needs of Housing NSW tenants, and is in need of repair. The Proposal enables the dwellings to be replaced with upgraded stock with a higher level of amenity.	Relocation of existing residents As the Proposal would likely result in a complete redevelopment of the site, the existing improvements are likely to be demolished and replaced. This would necessitate the relocation of existing residents in the Housing NSW properties currently on site. Housing NSW have advised that, consistent with an established Relocation Strategy, existing tenants are being consulted and leasing arrangements made to facilitate a smooth transition out of the existing dwellings into other social housing, and potentially into the newly created dwellings upon completion. Construction disturbance Any construction process has the potential to generate impacts associated with construction traffic, noise and dust generation. Consistent with other development applications for construction, any future DA for the site would be required to submit a statement of environmental effects, a demolition and construction waste management plan, and other documentation to ensure any construction impacts are minimised and mitigated. Increased traffic and transport demand The resultant increase in residential population on the site is likely to generate an increase demand for public transport and road traffic. The existing public transport infrastructure in the vicinity of the site – which includes major bus corridors on Broadway and City Road, two light rail stations, and Central train station within 1km – is extensive, and is likely to accommodate the potential increase in demand. There is excellent public transport and a number of shops, universities, schools, and employment opportunities within walking and cycling distance. This, coupled with limits placed on permissible car parking spaces, would reduce car ownership rates. This would subsequently minimise any additional traffic generation.

Pros	Cons
The new social housing stock would more closely match the needs of Housing NSW tenants. The new social housing would have a greater capacity, as it would consist of more, smaller dwellings than the existing mix. An increased proportion would also be accessible and adaptable housing. The social housing is also intended to be managed by a registered community housing provider, enabling tenant access to a range of specialised services. Creation of affordable housing The upgraded social housing would also be complemented by the creation of new affordable housing. Affordable housing provides rental accommodation at subsidised rates to very low, low and moderate income households. This form of housing has been identified by the Council and NSW Government as being necessary to limit the displacement of key workers that are integral to the City economy and community. This housing would be owned, built and managed by a registered community housing provider in perpetuity, and would therefore expand the capacity on the site for very low income households, and create a greater diversity than market housing and social housing alone would generate. Integration with surrounding land uses The Proposal would enable development that is of a much higher quality design that provides improved, safer urban form, with greater opportunities for passive surveillance and articulation at the interface with the public domain. In particular, the Proposal enables the activation of Bay Street, through continuous ground floor retail. And there is potential for retail in other locations to service the local community. It also enables development that would be required to address Cowper and Wentworth Streets, as opposed to the existing stock that is more inwardly focused.	Shadowing and privacy The Proposal enables development at heights that could generate some ongoing shadowing and privacy (over looking), although it would be minimised through design controls. Specifically, building envelopes would contain where development is located, and development controls would further minimise privacy concerns and protect sunlight access to neighbouring developments, public domain and open space.

Pros	Cons
Creation of diverse retail space The activation has the additional benefit of creating more retail opportunities, near the identified local centre at Broadway. This creates the potential for ongoing employment opportunities on the site, and also increases the diversity of commercial spaces available across the City. The scale of potential retail would not, however, impact the commercial centres of Broadway or Glebe Point Road. Creation of environmentally sensitive development The Proposal would enable the generation of new housing stock with greater environmental efficiencies than the old dwellings currently on site. The building envelopes maximise potential for passive solar design, cross ventilation and other energy saving features, and the incorporation of green roofs also improves water management and reduces heat loads. Green roofs also complement the upgraded open space within the site that, in turn, complements the surrounding green spaces like Wentworth Park. Optimal use of existing infrastructure The site is also considered an ideal location for greater density, with the existing development being inconsistent with surrounding built forms, and lacking integration. Increasing the residential population of the site also increases the utilisation of existing infrastructure, including sewerage, power, parks, shops, jobs, universities, schools, hospitals, and public transport networks. Increasing density reduces pressure to provide additional housing that would replace either existing employment lands, historically significant housing in surrounding neighbourhoods, or agricultural and other 'green' land on the urban fringe. Potential integration with neighbouring urban renewal sites The initial designs for the redevelopment of the subject site also incorporated the potential urban renewal of the neighbouring Council depot site. The Proposal maintains the potential to integrate with future changes to that site, through connecting roads, further activation of Bay Street and a similar transitional urban form between Ultimo and Glebe.	

Section B: Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The Sydney Metropolitan Strategy, and draft Sydney City Subregional Strategy are the applicable NSW Government strategic plans that affect the site. Sydney Metropolitan Strategy is divided into seven 'strategies', with Strategy C: Housing aiming to increase the supply of housing in Sydney. It seeks to improve housing affordability, locate new housing near existing centres and infrastructure and ensure sufficient land is available to meet Sydney's growing housing needs.

The Proposal is consistent with this strategy in a number of ways. It increases the availability of housing. It increases the diversity of housing. It locates housing growth within the urban footprint, and near identified local centres, job opportunities, infrastructure and services. It also contains the residential growth to existing residential land, reducing the pressure on both employment lands and non-urban fringe areas from being subsumed by residential growth.

The consistency of the Proposal with all 'directions' within each of the seven Sydney Metropolitan Strategy 'strategies' is outlined in Attachment K, with reference to the relevant 'objectives' of each direction, as outlined in the Sydney Metropolitan Strategy, and to the relevant locally specific 'actions' (prefixed with 'SC') for each objective, as outlined in the Draft Sydney City Subregional Strategy.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Council's Community Strategic Plan is Sustainable Sydney 2030, a vision for the sustainable development of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of Sydney. Direction 8: Housing for a Diverse Population seeks to build on Sydney's character as a city of diversity and equity, with a place for everyone. It recognises that housing affordability is an increasing challenge in inner Sydney and that Council can support and advocate initiatives to expand affordable housing opportunities.

As noted above, the Proposal enables the progression of the Glebe Affordable Housing Project. The Project was one of the 'project ideas' under Direction 8. The Proposal is consistent with this Direction in that it represents a cooperative approach between Council and Housing NSW and it enables the expansion of the community housing sector, through both the social and affordable housing components. It also increases the supply of market housing, and provides for a diversity of housing options for the community.

The consistency of the Proposal with all 'objectives' within each of the 10 Sustainable Sydney 2030 'directions' is outlined in Attachment L, with reference to the relevant 'actions' of each objective, as outlined in the strategic plan.

6. Is the planning proposal consistent with applicable state environmental planning policies?

The consistency of the Proposal with the applicable state environmental planning policies (SEPPs) is outlined in Table 7. Consistency with regional environmental plans (REPs) covering the Sydney and Greater Metropolitan Regions, which are deemed to have the weight of SEPPs, is outlined in Table 8.

Table 7 – Consistency with State Environmental Planning Policies (SEPPs):

State Environmental Planning Policy	Statement of Consistency
SEPP No 1—Development Standards	The Proposal would repeal this SEPP, which is consistent with the Standard Instrument.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	The Proposal would repeal this SEPP, which is consistent with the Standard Instrument.
SEPP No 6—Number of Storeys in a Building	Consistent. The Proposal adopts the Standard Instrument building height limit definitions.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 15—Rural Landsharing Communities	Not applicable.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 22—Shops and Commercial Premises	Consistent. The Proposal does not restrict previously permitted commercial land uses.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 29—Western Sydney Recreation Area	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Consistent. The Proposal represents an urban renewal and enables a range of uses appropriate to the site.
SEPP No 33—Hazardous and Offensive Development	Consistent. The Proposal adopts Standard Instrument definitions of hazardous and offensive development, and does not permit these land uses.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 39—Spit Island Bird Habitat	Not applicable.

State Environmental Planning Policy	Statement of Consistency
SEPP No 41—Casino Entertainment Complex	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Consistent. The Proposal does not permit canal estate development.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 53—Metropolitan Residential Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent. The Proposal is supported by interim advice from an accredited NSW DECCW Site Auditor stating the site is suitable for use or is capable of being made suitable for use through appropriate remediation.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 60—Exempt and Complying Development	The Proposal would repeal this SEPP, which is consistent with the Standard Instrument.
SEPP No 62—Sustainable Aquaculture	Consistent. The Proposal does not permit aquaculture.
SEPP No 64—Advertising and Signage	Consistent. The Proposal is supported by a draft DCP that has consistent requirements for advertising and signage structures.
SEPP No 65—Design Quality of Residential Flat Development	Consistent. The Proposal is supported by a draft DCP that has consistent requirements for residential flat buildings.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent. The Proposal does not affect the schemes outlined in the SEPP, or propose any new schemes. The objectives of the Proposal also align with the objectives of this SEPP.

State Environmental Planning Policy	Statement of Consistency
SEPP No 71—Coastal Protection	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent. The Proposal is supported by a draft DCP that has consistent requirements regarding building sustainability.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent. The Proposal is supported by a draft DCP that has consistent requirements for adaptable and accessible dwellings.
SEPP (Major Development) 2005	Consistent. The Proposal does not inhibit the operation of Part 3A of the EPA Act 1979.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Infrastructure) 2007	Consistent. The Proposal does not place any restrictions on infrastructure that would contradict the SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Temporary Structures) 2007	Consistent. The Proposal does not adopt any provisions on temporary structures that contradict this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent The Proposal adopts the Standard Instrument exempt and complying development provisions.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent. The Proposal is supported by a draft DCP that has consistent requirements for affordable housing, and does not include provisions that inhibit the operation of this SEPP. The objectives of the Proposal also align with the objectives of this SEPP.

State Environmental Planning Policy	Statement of Consistency
SEPP (Western Sydney Employment Area) 2009	Not applicable.

Table 8 – Consistency with Sydney and Greater Metropolitan Regional Environmental Plans (REPs):

Regional Environmental Plan	Statement of Consistency
Sydney REP No 5—(Chatswood Town Centre)	Not applicable.
Sydney REP No 8 (Central Coast Plateau Areas)	Not applicable.
Sydney REP No 9—Extractive Industry (No 2—1995)	Not applicable.
Sydney REP No 11—Penrith Lakes Scheme	Not applicable.
Sydney REP No 13—Mulgoa Valley	Not applicable.
Sydney REP No 16—Walsh Bay	Not applicable.
Sydney REP No 17—Kurnell Peninsula (1989)	Not applicable.
Sydney REP No 18—Public Transport Corridors	Not applicable.
Sydney REP No 19—Rouse Hill Development Area	Not applicable.
Sydney REP No 20—Hawkesbury-Nepean River (No 2—1997)	Not applicable.
Sydney REP No 24—Homebush Bay Area	Not applicable.
Sydney REP No 25—Orchard Hills	Not applicable.
Sydney REP No 26—City West	Not applicable.
Sydney REP No 28—Parramatta	Not applicable.
Sydney REP No 29—Rhodes Peninsula	Not applicable.

Regional Environmental Plan	Statement of Consistency
Sydney REP No 30—St Marys	Not applicable.
Sydney REP No 33—Cooks Cove	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent. The Proposal adopts provisions regarding flood plain and acid sulphate soil management consistent with the REP, and does not include any provisions that contradict the REP.
Drinking Water Catchments REP No 1	Not applicable.
Greater Metropolitan REP No 2—Georges River Catchment	Not applicable.

7. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The consistency of the Proposal with the applicable Ministerial Directions is outlined in Table 9.

Table 9 – Consistency with Ministerial (s.117) directions:

1. Employment and Resources

Direction	Statement of Consistency
1.1 Business and Industrial Zones	Not applicable.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.

2. Employment and Heritage

Direction	Statement of Consistency
2.1 Environment Protection Zones	Consistent The Proposal incorporates the Standard Instrument provision that excludes environmentally sensitive areas from exempt and complying development provisions, and does not identify any land for environmental protection purposes.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Consistent The Proposal incorporates Standard Instrument provisions protecting heritage significance. Heritage Assessment and Outline of Conservation Guidelines, prepared by John Oultram Heritage & Design, is attached. It does not identify any items of sufficient significance to warrant identification in the Proposal. The Proposal would also exclude the site from the Glebe Heritage Conservation Area, consistent with the Glebe Conservation Area Study 2008, prepared by the City of Sydney.
2.4 Recreation Vehicle Areas	Consistent The Proposal does not enable land to be developed for the purpose of a recreation vehicle area.

3. Housing, Infrastructure and Urban Development

Direction	Statement of Consistency
3.1 Residential Zones	Consistent The Proposal would enable an increase in the number of residential dwellings permissible, and a diverse range of housing types including affordable, social and market housing. The Proposal is located within the existing urban footprint and is able to utilise existing infrastructure. The Proposal includes a provision to ensure land is adequately serviced before development, and a DCP would ensure good design.
3.2 Caravan Parks and Manufactured Home Estates	Consistent The Proposal does not remove any existing provisions that permit the development of land for the purpose of a caravan park, and manufactured home estate is not proposed to be a permissible use.
3.3 Home Occupations	Consistent The Proposal permits home occupations without the need for development consent.

Direction	Statement of Consistency
3.4 Integrating Land Use and Transport	Consistent The Proposal covers land that is located walking distance to existing public transport, including bus, light rail and heavy rail, and to existing employment lands.
3.5 Development Near Licensed Aerodromes	Not applicable.

4. Hazard and Risk

Direction	Statement of Consistency
4.1 Acid Sulfate Soils	Consistent A preliminary geotechnical and land contamination assessment, by Douglas Partners, identifies potential acid sulfate soils along the western boundary of the site. As a result, provisions proposed ensure the suitability of any subsequent development applications, and to manage any impacts of any acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Not applicable.
4.3 Flood Prone Land	Consistent A preliminary flooding and stormwater study, by Hughes Trueman, concludes that roads adjacent to land covered by the Proposal are overland flow paths. As a result, provisions proposed ensure the suitability of any subsequent development applications and to manage any impacts on and by flood planning measures.
4.4 Planning for Bushfire Protection	Not applicable.

5. Regional Planning

Direction	Statement of Consistency
5.1 Implementation of Regional Strategies	Not applicable.
5.2 Sydney Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

Direction	Statement of Consistency
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.

6. Local Plan Making

Direction	Statement of Consistency
6.1 Approval and Referral Requirements	Consistent The Proposal does not include concurrence, consultation or referral provisions or identify any development as designated development.
6.2 Reserving Land for Public Purposes	Consistent The Proposal does not contain any land reserved for a public purpose, and no requests have been made by a Minister or public authority to reserve such land.
6.3 Site Specific Provisions	Consistent The Proposal repeals and replaces existing local planning instruments, rather than amend them, and does not contain any development standards that would be more restrictive than those in current planning instruments, or drawings of a development proposal.

7. Metropolitan Planning

Direction	Statement of Consistency
7.1 Implementation of the Metropolitan Strategy	Consistent The Proposal is consistent with the aims, objectives and provisions of the Metropolitan Strategy (as supported by the draft Sydney Subregional Strategy) as outlined herein.

Section C: Environmental, social and economic impact

8. 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 proposal?

No, the Proposal covers land located in an existing built up urban area of Sydney with a long history of residential, commercial and industrial uses. The Proposal does

not apply to land that has been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Potential for any environmental impacts have been considered as part of the comprehensive preparation of the Proposal, including the attached technical studies, and proponent submission. The following is a brief list of key impacts, and appropriate management strategies, that have been identified.

Traffic and parking

The Proposal would enable an increase in residential population in the area, which has the potential to increase demand for parking, and increase traffic congestion. The Proposal limits the amount of off street parking that can be provided. Surrounding streets would have time limited parking, and residents in any new development would not be eligible for on street parking permits. By discouraging car ownership in this way, in conjunction with the site's proximity to shops, restaurants, offices, community facilities, parks and public transport, the demand on road infrastructure would be managed.

Overshadowing and privacy

The Proposal would increase the permissible heights, which could result in overshadowing and overlooking, and subsequently a reduction in privacy. The distribution of heights proposed, and further building envelope controls contained in a DCP and other planning controls like SEPP 65, would ensure any overshadowing and overlooking is minimised in approved building designs and configurations, protecting the amenity to both surrounding properties and any development on the subject site.

Character and heritage

The Proposal would enable a new, larger development on a site adjacent to established neighbourhoods of Glebe and Ultimo. These neighbourhoods have distinct character and, in the case of Glebe, heritage significance that is protected through a conservation area. The proposed distribution of height limits and heritage conservation provisions in the Proposal, as well as more specific design controls in a DCP, would ensure approved building designs respond to the existing neighbourhood character, and have adequate articulation and, where appropriate, activation to surrounding streetscapes.

Flood planning measures

A preliminary flooding and stormwater study identified overland flow paths on streets adjacent to the subject site. As such, appropriate provisions have been included in the Proposal to ensure future development manages any impacts on, or by, established flood planning measures.

Acid sulfate soils

A preliminary contamination and geotech assessment identified potential acid sulfate soils on part of the site. As such, appropriate provisions have been included in the Proposal to ensure future development manages any impacts of any acid sulfate soils on site.

10. How has the planning proposal adequately addressed any social and economic effects?

The Proposal would enable development with a number of positive economic outcomes. The increased residential density would provide housing for workers in identified nearby commercial centres, and in Central Sydney less than one kilometre away. The site's redevelopment would help contain residential growth to existing residential land, reducing pressure on surrounding commercial land to incorporate residential uses. The permissibility of retail uses would also enable improvements to surrounding streets and increase the diversity of commercial floor space on the periphery of identified activity hubs and local centres.

The replacement of the existing social housing stock would increase the ability of Housing NSW to meet current and future tenant needs, through targeted designs that increase amenity and accessibility. The addition of affordable housing to the site would also promote diversity among the local population. The market housing provided on site would also reduce pressure to meet housing targets in more poorly serviced locations, and would add to the diversity of housing options in the area.

A significant proportion of social housing is being designed to meet an under-supply of housing for older people or people with a disability. This would increase the overall tenant diversity, with affordable housing typically tenanted by key workers, and market housing in the area accommodating a combination of families, professionals and tertiary education students.

By ensuring social, affordable and market housing are integrated within the site, and by including market housing in the increase in density, a mixed community would be created. This would help reduce any potential social effects of higher density social housing. It would also increase potential tenant satisfaction, economic participation, and educational opportunities.

Section D: State and Commonwealth interests

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

The full range of utility services including electricity, telecommunications, water supply, sewer and stormwater are all currently available to the subject site. It is expected that these services would need to be supplemented to cater for the increased densities. Proposed provisions ensure adequate infrastructure is addressed as part of subsequent development applications.

The site is well serviced by public transport, including a major bus corridor and two light rail stations within 700m. Royal Prince Alfred Hospital is nearby, and primary, secondary and tertiary education facilities are also available.

The site is also well serviced by shops, restaurants, libraries and other community services. It is only 50m from Wentworth Park, a major public open space, and Victoria Park, which contains a public swimming pool, is approximately 800m away.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

To date the City of Sydney has only consulted Housing NSW, which is the proponent for the Proposal. Housing NSW has also consulted with the following authorities regarding the Proposal:

- a. Energy Australia, in its capacity as a land owner covered by the Proposal;
- b. NSW Department of Planning; and
- c. City West Housing.

A Gateway determination advises on the full list of public authorities to be consulted as part of the next stage in the preparation of the LEP. It is proposed that the following authorities be consulted regarding the Proposal:

- a. Energy Australia;
- b. Sydney Water;
- c. TransGrid;
- d. Roads and Traffic Authority NSW;
- e. State Transit Authority of NSW;
- f. NSW Transport and Infrastructure;
- g. NSW Department of Education and Training;
- h. NSW Health;
- i. NSW Police; and
- j. NSW Department of Planning – Heritage Branch.

Part 4 - Community Consultation

Public consultation takes place following a Gateway determination made by the Minister for Planning, in accordance with Sections 56 & 57 of the Environmental Planning & Assessment Act 1979. It is proposed that, at a minimum, this involves the notification of the public exhibition of the Proposal:

- a. on the City of Sydney website;
- b. in newspapers that circulate widely in the City of Sydney local government area; and
- c. in writing to the owners; the adjoining landowners; relevant community groups; and the surrounding community in the immediate vicinity of the site.

It is proposed that the Proposal be exhibited for a period of 28 days, to coincide with the exhibition of an accompanying DCP.