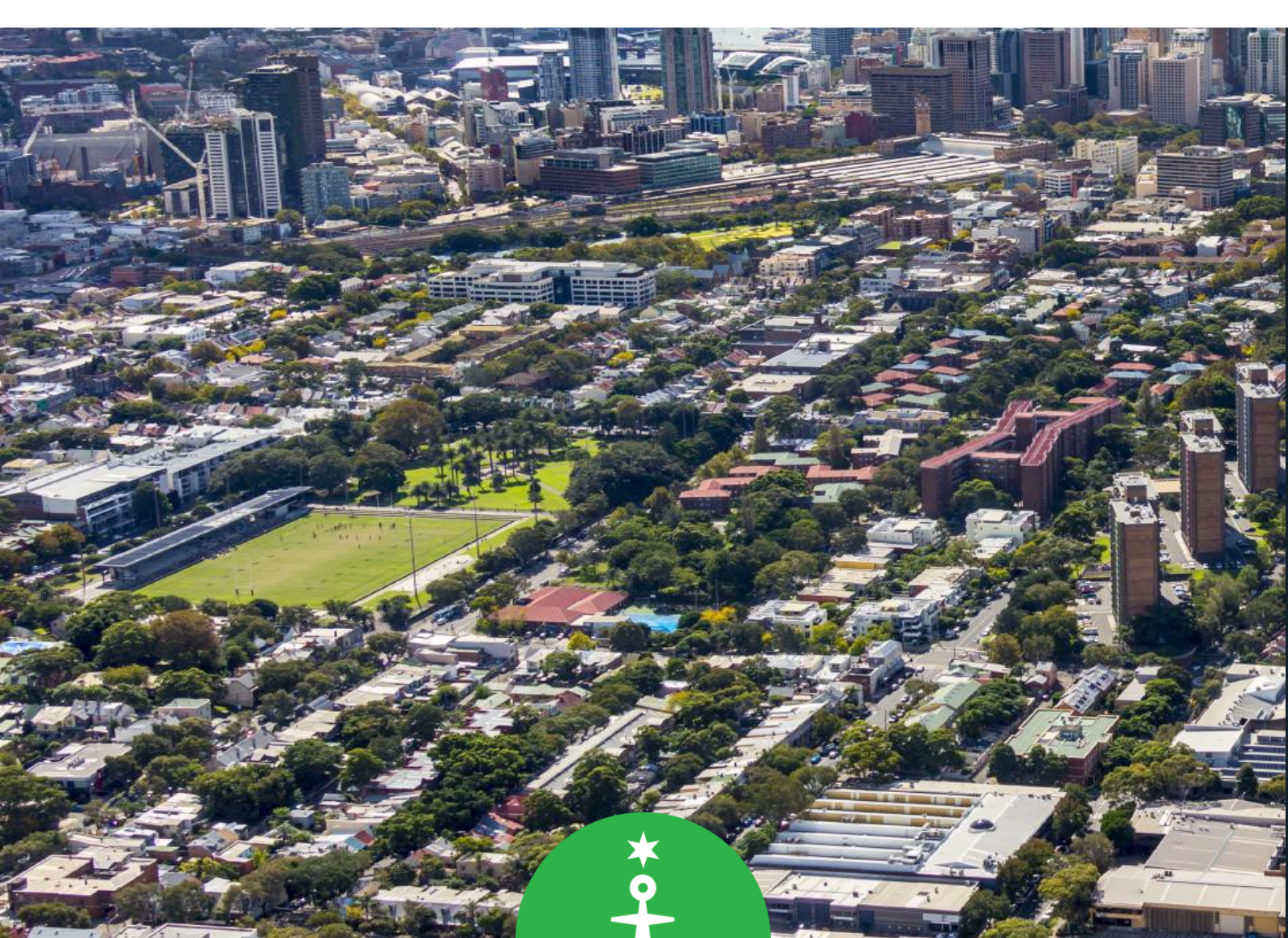


# **Attachment B**

**Planning Proposal –  
600-660 Elizabeth Street, Redfern**



# Planning Proposal – 600-660 Elizabeth Street, Redfern

Amendment to Sydney Local Environmental Plan 2012

Proposal amended post exhibition October 2021

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# Executive summary

The City of Sydney (the City) has prepared this Planning Proposal to change the planning controls for the land at 600-660 Elizabeth Street, Redfern (the site), in response to a request from the owner, NSW Land and Housing Corporation, for the City to prepare a planning proposal for the site.

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

The site is approximately 10,850 square metres in area and is bound by Elizabeth Street, Kettle Street, Walker Street and Phillip Street. The site forms part of the Redfern Social Housing Estate. Existing development on site consists of the South Sydney Police Citizens' Youth Club (PCYC) located on the corner of Phillip and Elizabeth Streets. The remainder of the site is vacant. Surrounding development consists of residential development to the north, east and south and the State Heritage listed Redfern Park and Oval to the west.

Under the South Sydney Local Environmental Plan 1998, the site is zoned No. 2(b) Residential (Medium Density) and No. 5 Special Uses (Activity Centre), has a maximum building height of 6 metres and maximum floor space ratio of 1.5:1. The site's zoning permits residential uses, community centres, local shops and childcare centres.

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

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

- Rezone the site R1 General Residential;
- Increase the maximum building height to various heights ranging from RL 51.7 (approx. 4 storeys) to RL 87.5 (approx. 16 storeys);
- Provide a mapped floor space ratio of 1.5:1 and incentives to increase the floor space ratio to 2.22:1 if community facilities are included on site;
- Introduce the Category B maximum car parking rate;
- Ensure no additional overshadowing from the site to Redfern Park and Oval;
- Introduce Active Street Frontages controls on the Elizabeth Street boundary of the site; and
- Insert a site-specific local clause for a community facility, affordable housing and BASIX.

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 to deliver the following key benefits:

- Facilitate development of the site for new social and affordable housing, in line with NSW Government Policy;
- To deliver a high-quality, predominately residential development, supported by a range of small-scale neighbourhood uses, that will renew the site and contribute to local character;
- Provide floor space for the continued operation of a community facility on site;
- To facilitate development that responds to its context and achieves a high level of amenity to neighbouring properties; and
- To ensure no overshadowing to Redfern Park.

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

The City has prepared a draft Design Guide (in the instance where subsequent development application(s) are SSD) to help ensure the objectives and intended outcomes of this Planning Proposal are achieved. The draft Design Guide creates site-specific controls relating to the built form of the proposed development, design excellence, amenity requirements and sustainability and is equivalent to a site-specific DCP (in the instance where subsequent DAs are delegated or local development). The City intends to publicly exhibit this Planning Proposal concurrently with the draft Design Guide.

# 1. Site identification

## 1.1. Site identification

The site consists of a single lot described as Lot 1 DP 1249145, known as 600-660 Elizabeth Street, Redfern

Figure 1. Land affected by this Planning Proposal



## 1.2. Site location

The site is located in Redfern in the City of Sydney. Redfern station is about 900m northwest of the site, and Waterloo Metro Station (under construction) is about 850m west of the site. Redfern Oval is directly opposite the site. The site is located on the intersection between Elizabeth Street and Phillip Street, with Redfern Street to the north, Chalmers Street and Botany Road to the west, South Dowling Street to the east and Raglan Street to the south.

The site has four road frontages: Elizabeth Street to the west, Kettle Street to the north, Walker Street to the east and Phillip Street to the south. A site location plan and aerial photo of the site are shown at Figures 2 and 3.

Figure 2. Site location

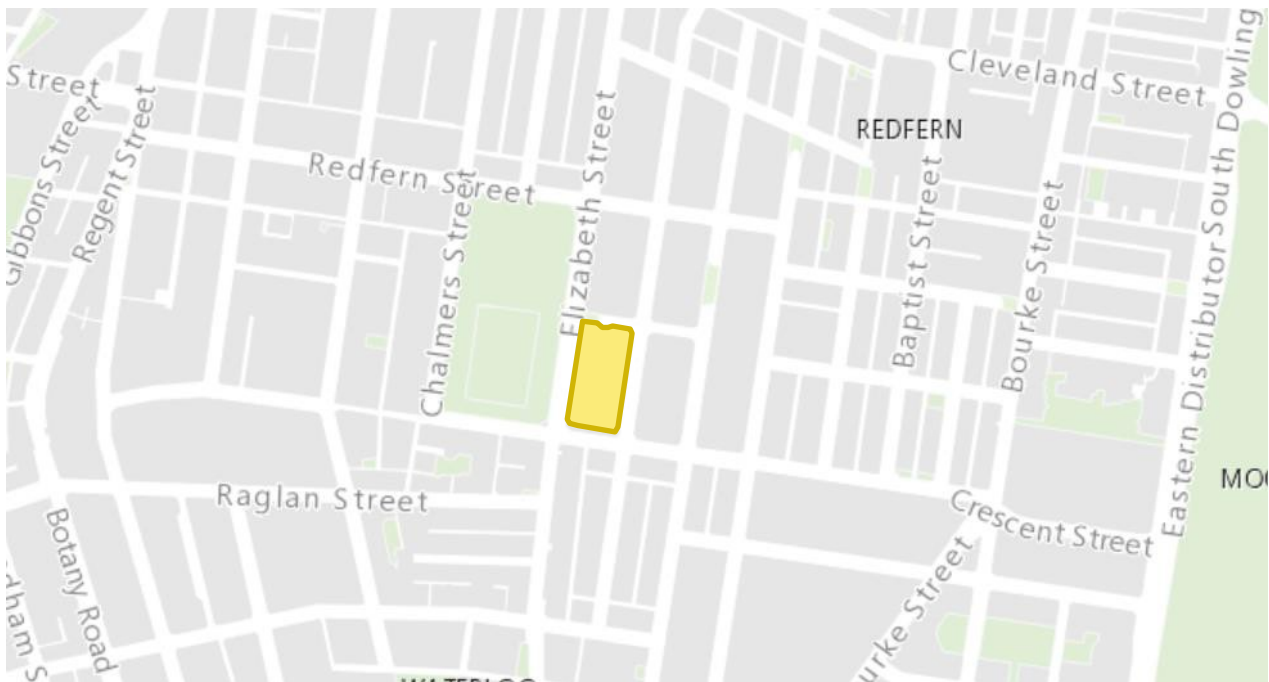


Figure 3. Aerial photo of the site





### 1.3. Site characteristics and context

The 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 146m long. The site's northern and southern boundaries fronting Kettle Street and Phillip Street have are about 70m long. The site is entirely owned by NSW Land and Housing Corporation.

Existing development on the site consists of the South Sydney Police Citizens' Youth Club (PCYC) located on the corner of Phillip and Elizabeth Streets. The PCYC buildings on-site comprise of three single storied 1950s brick buildings with a colorbond roof. The PCYC also has an outdoor basketball court and children's playground.

The northern portion of the site previously comprised of 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 planted native and exotic tree species.

The site forms part of the Redfern 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.

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.

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.

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.

Open space facilities in the area include Waterloo Oval and Park (650m south), Fernside Skate Park (800m south), Corning Park (1.0km east), Prince Alfred Park (1.0km north).

Neighbourhood retail centres in the vicinity of the site include Redfern and Chalmers Streets (300m), Danks Street (500m), and Baptist and Crown Streets (800m).

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



Figure 4. PCYC viewed from Elizabeth Street



Figure 5. View of PCYC and basketball courts





Figure 6. View of site looking towards Walker Street (east)



Figure 7. View of site looking towards Elizabeth Street (west)





Figure 8. 3 storey walk ups on corner of Kettle and Elizabeth Streets



Figure 9. Street closure on Kettle Street





Figure 10. Townhouses opposite the site on Walker Street



Figure 11. Street closure on Walker Street near Phillip Street





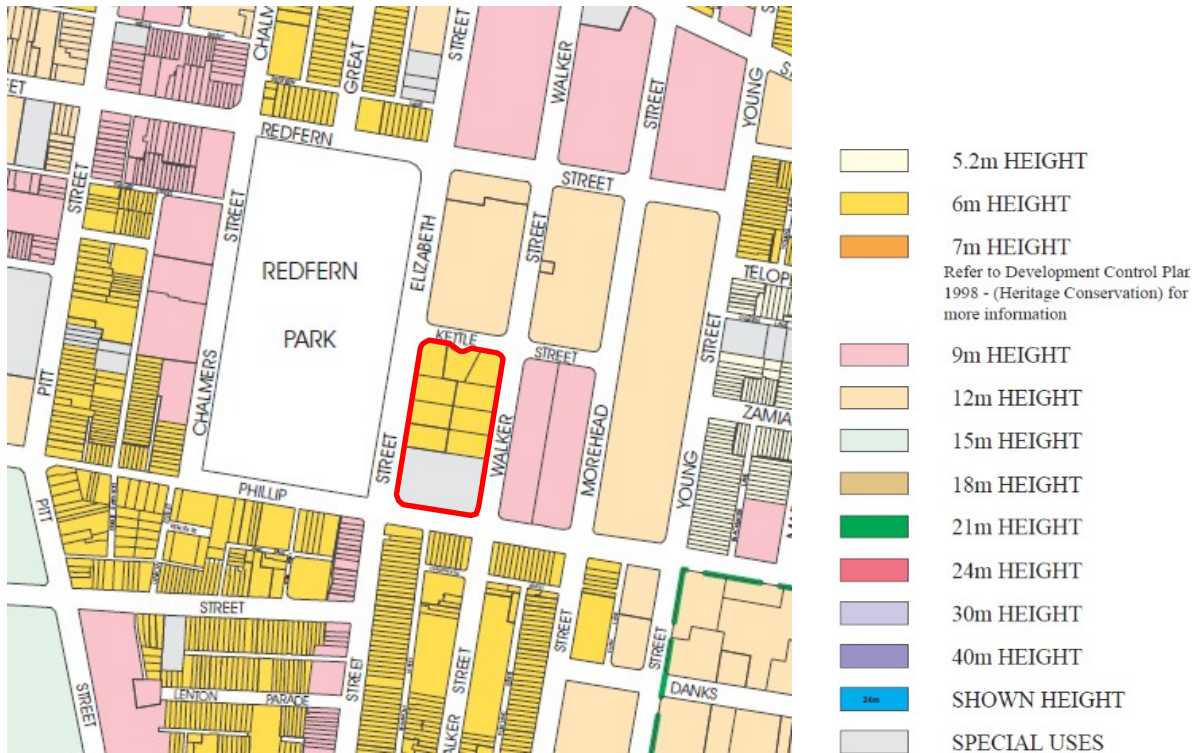
Figure 12. Terraces houses on Phillip Street (Waterloo Heritage Conservation Area)





zoned No.5 Special Uses. An extract of the relevant Height of Buildings Map from the DCP is shown in Figure 14. This Planning Proposal seeks to change the site's existing building height.

**Figure 14. Extract from South Sydney DCP 1998 Building Height Map**

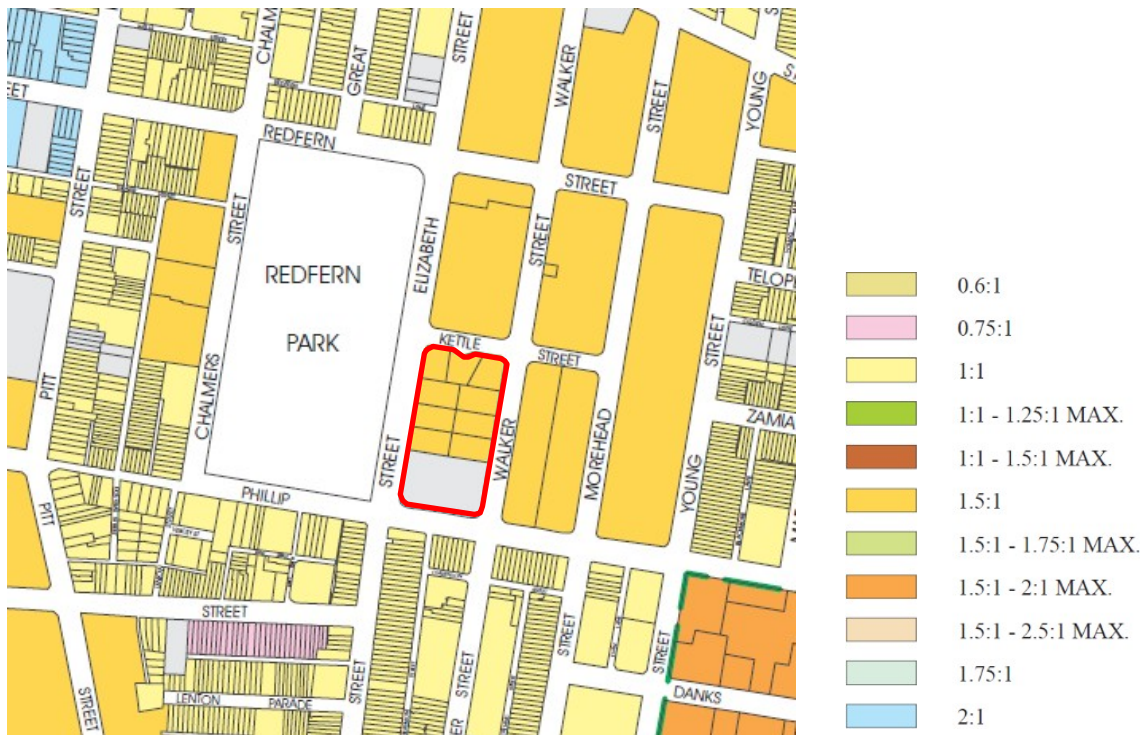


## 2.3. Floor Space Ratio

The South Sydney DCP applies a maximum Floor Space Ratio (FSR) of 1.5:1 to land zoned No. 2(b) Residential. There is no maximum FSR for the portion of the site zoned No.5 Special Uses – Activity Centre. An extract of the relevant Floor Space Ratio Map from the DCP is shown in Figure 15. This Planning Proposal seeks to change the site's existing FSR.



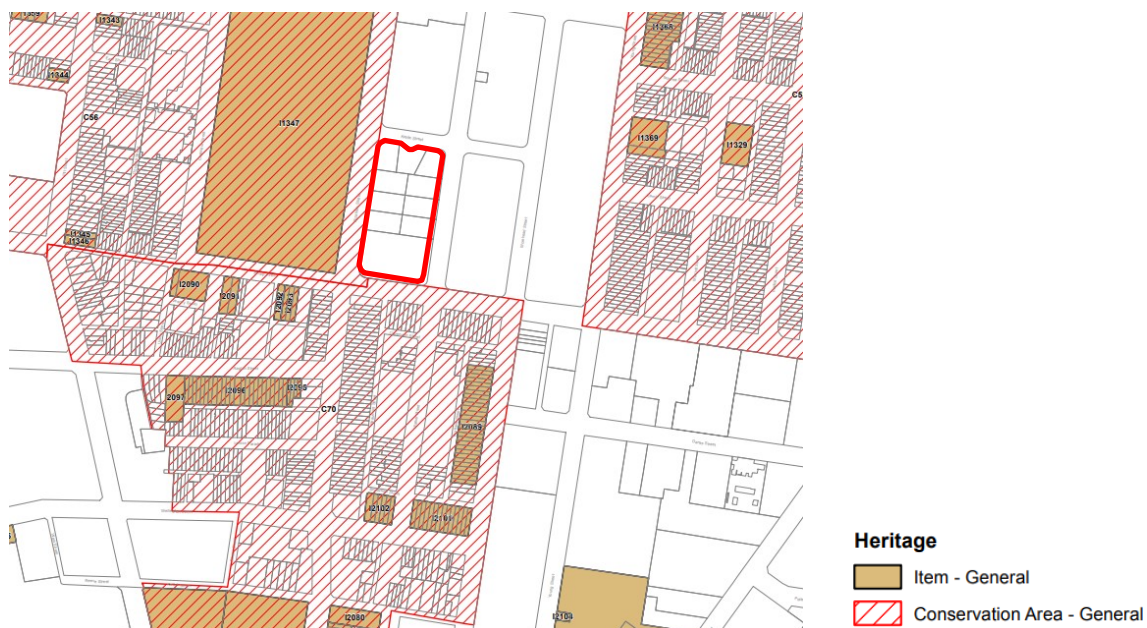
Figure 15. Extract from South Sydney DCP 1998 Floor Space Ratio Map



## 2.4. Heritage

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. An extract of the relevant Heritage Map from the Sydney LEP 2012 is shown in Figure 16.

Figure 16. Extract from Sydney LEP 2012 Heritage Map





## 2.5. Planning proposal request

Prior to a Planning Proposal request, the former Minister for Planning announced the site as a potential State Significant Precinct (SSP) in September 2017. The 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 approve key project milestones. In particular, a PRP meeting was held on the 31 October 2019. The proposal presented to the PRP included a B4 Mixed Use Zone, an FSR of 3.7:1, and maximum building heights ranging between 26 and 66 metres (up to 19 storeys). The PRP raised a number of issues which the proponent has sought to address in the Planning Proposal and reference scheme, these included:

- There should be no overshadowing of Redfern Park
- Acknowledgment that public open space does not need to be accommodated on site
- The development and density outcomes of the site be considered within the wider context of the Redfern Estate
- Greater certainty should be provided on the delivery of social and affordable housing on the site
- The proposed future location for a community facility should be nominated as part of the proposal, and
- The PRP also raised concerns with environmental amenity, sustainability minimums, contamination, car parking and tree canopy.

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

In December 2019, NSW 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.

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.

The request sought to amend the Sydney LEP 2012 to rezone the site R1 General Residential, increase the maximum building height control from the current 6 metres to a height of RL 57 and RL 80, introduce a maximum floor space ratio to 2.75:1, apply maximum car parking rates and a draft site-specific provision for affordable housing and space for a community facility onsite or in the locality.

The request sought to facilitate 351 apartments and up to 1,600 square metres of non-residential floor space for neighbourhood shops, cafes, community spaces and childcare. This includes bonus floorspace awarded for design excellence. The submitted reference scheme has been prepared by the landowner to support this Planning Proposal (Figures 17 and 18).

Figure 17. Submitted reference scheme for planning proposal request (looking north)



Figure 18. Submitted reference scheme for planning proposal request (looking south)



Following lodgement, the landowner's request was reviewed by the City. The City has prepared a revised reference scheme to guide the preparation of the proposed planning controls.

The revised reference scheme prepared by the City 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.

The revised reference scheme allocates of land on the corner of Elizabeth Street and Kettle Street for community facilities. Demolition of the existing PCYC on the site is not to commence until after arrangements have been made for community facilities to be secured on site.

The revised reference scheme provides for ground floor of development fronting Elizabeth Street to be a mix of community, communal, commercial and retail uses. Publicly accessible through-site links are to be provided from Elizabeth Street to Walker Street and Kettle Street to Phillip St.

Redevelopment using the City's revised scheme would facilitate the delivery of new residential buildings with building heights ranging from 4-5 storeys on Elizabeth Street, 4 storeys on Phillip Street, 4-9 storeys on Walker Street and a taller building on the corner of Kettle and Walker Streets up to 9 and 16 storeys.

The revised scheme will provide an equivalent amount of GFA and achieve a similar number of apartments to the landowner's reference scheme as the LEP controls are the same.

A draft Design Guide, to be exhibited concurrently with this Planning Proposal, contains more detailed site-specific provisions.

### 3. Objectives and intended outcomes

This Planning Proposal will enable the redevelopment of the site to:

- Introduce new planning controls for the site under the Sydney LEP 2012
- Facilitate development of the site for new social and affordable housing
- To deliver 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
- Provide floor space for the continued operation of a community facility on site;
- To facilitate development that responds to its context and achieves a high level of amenity to neighbouring properties; and
- To ensure no overshadowing to Redfern Park all year round.

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



## 4. Explanation of provisions

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

1. Amend the Land Application Map Sheet 1 as shown at Part 5 of the Planning Proposal to un-defer this site in the Sydney LEP 2012.
2. Amend the Land Zoning Map Sheet 17 as shown at Part 5 of this Planning Proposal to introduce the R1 General Residential zone.
3. Amend the Floor Space Ratio Map Sheet 17 as shown at Part 5 of this Planning Proposal to transfer the floor space ratio of 1.5:1.
4. Amend the Height of Building Map Sheet 17 as shown at Part 5 of this Planning Proposal to increase the maximum building height to various heights ranging from RL 51.7 (approx. 4 storeys) to RL 87.5 (approx. 16 storeys).
5. Amend the Land Use and Transport Integration Map Sheet 17 as shown at Part 5 of the Planning Proposal to introduce the Category B maximum car parking rate.
6. Amend the Public Transport Accessibility Level Map Sheet 17 as shown at Part 5 of the Planning Proposal to introduce Category F to the site.
7. Amend the Acid Sulfate Soils Map Sheet 17 as shown at Part 5 of the Planning Proposal to introduce Class 5 to the site.
8. Introduce new Active Street Frontages Map Sheet 17 as shown at Part 5 of the Planning Proposal to apply active street frontage controls to the Elizabeth St boundary of the site.
9. Amend clause 1.9 Application of SEPPs to ensure *State Environmental Planning Policy (Affordable Rental Housing) 2009* Division 1 does not apply to the site.
10. Insert a site-specific local clause for community facilities, affordable and social housing, BASIX, and overshadowing. The proposed site-specific provision will facilitate:
  - a. A bonus FSR is available if land for community facilities is provide in the development.
  - b. A bonus FSR is available if the development exceeds BASIX commitments for water and energy.
  - c. Any development must include at least 7.5% of total floor area, used for the purposes of residential development, being used for the purposes of affordable housing.
  - d. Any development must include at least 30% of total floor area, used for the purposes of residential development, being used for the purposes of social housing premises.
  - e. In this clause, social housing premises has the same meaning as in the Residential Tenancies Act 2010.
  - f. Any development on the site must not overshadow Redfern Park and Oval between 9.00-15.00 all year round.
  - g. The consent authority must not consent to development of the site unless it is satisfied the redevelopment has taken into consideration any guidelines endorsed by the NSW Planning Secretary.
  - h. The site is excluded from the requirement to prepare a development control plan where the consent authority considers the development to be consistent with the Design Guide.

### Example clauses

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

#### Clause 1.9 Application of SEPPs

- (1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 3.28 of the Act.
- (2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies—

State Environmental Planning Policy No 1—Development Standards

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

- (a) land at Green Square or at Ultimo-Pyrmont, or
- (b) southern employment land, or
- (c) land at the Waterloo Metro Quarter, ***or***
- (d) ***for the purposes of Division 1 only of the State Environmental Planning Policy (Affordable Rental Housing ) 2009, land at 600-660 Elizabeth Street, Redfern.***

#### Division 5 Site Specific Provisions

##### Clause 6.XX 600-660 Elizabeth Street, Redfern

- (1) ***This clause applies to 600-660 Elizabeth Street, Redfern, being Lot 1 DP 1249145.***
- (2) ***Despite clause 4.4, the consent authority may grant development consent to development on the subject land that exceeds the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than—***
  - (a) ***0.57:1 if the development includes a minimum of 3,500 square metres of floor space used for the purposes of community facilities, and***
  - (b) ***0.15:1 if the development exceeds the BASIX commitments for water and energy by not less than 5 points.***
- (3) ***Development consent must not be granted under subclause (2) for development that results in less than 30% of the gross floor area, used for the purposes of residential accommodation, being used for the purposes of social housing premises, and, less than 7.5% of the gross floor area, used for the purposes of residential accommodation, being used for the purposes of affordable rental housing.***
- (4) ***the social and affordable housing will be provided by or on behalf of a public authority or social housing provider, within the meaning of the State Environmental Planning Policy (Affordable Rental Housing) 2009.***
- (5) ***For the purpose of this clause, any floor space used for the purposes of community facility floor space may be excluded from the calculation of gross floor area.***
- (6) ***Development consent must not be granted under subclause (2) for development that overshadows Redfern Park and Oval between 9.00-15.00 all year round.***
- (7) ***The consent authority must not consent to development on the subject land to which this clause applies unless it is satisfied that it has taken into consideration any guidelines endorsed by the NSW Planning Secretary relating to the design, use, arrangement, amenity and development of the land to which this clause applies.***
- (8) ***Clause 7.20 does not apply to a building on land to which this clause applies where the consent authority considers the development to be consistent with the Design Guide.***

## 5. Justification

This section is structured as follows:

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

### 5.1. Proposed development outcome

The City's vision for the development of the site is based on an assessment of the landowner's concept, which the City has revised to address issues and achieve improved outcomes.

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

#### Building height

This planning proposal seeks to introduce the following maximum building heights:

- RL 51.7 (approx. 4 storeys) on the southern section of Elizabeth Street, Phillip Street and the southern section of Walker Street;
- RL 55.3 (approx. 4-5 storeys) on the southern section of Elizabeth Street;
- RL 68.4 (approx. 9 storeys) on Kettle Street;
- RL 87.5 (approx. 16 storeys) on the corner of Kettle Street and Walker Street; and
- RL 64.8 to 68.4 (approx. 6-8 storeys) on Walker Street.

The building height along Elizabeth Street creates an active and consistent building scale to Elizabeth Street and avoids overshadowing of Redfern Park and Oval.

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. There is potential to improve the Phillip Street closure and create new open space.

Four storey buildings with setbacks provide a sensitive interface with the Waterloo Conservation Area to the south of the site.

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.

The ground level of the buildings on Elizabeth Street will be activated by commercial, communal and community facilities, open spaces and residential entries. Retail uses would create active corners on the site.

Buildings are generally setback from boundaries which allows for entries, gardens, planting and deep soil. The buildings on Kettle Street and Walker Street are set back further to create green spaces.



### Floor space ratio

This planning proposal seeks a floor space ratio (FSR) for the site of 1.5:1, to be included on the Floor Space Ratio 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.

The intention is to facilitate a 3,500sqm minimum community facility on site and a 26,651sqm mixed use residential development with affordable rental, social and market housing. The 3,500sqm community facility could be larger and the provision of the facility should not derogate from the mixed use component from achieving 26,651sqm. The 26,651sqm should be conditional however on the delivery of the community facility, achieving sustainability targets and design excellence.

As drafted, if a minimum 3,500sqm community facility is provide in the development, an additional FSR of 0.57:1 is available for the development.

Regardless of the presence of community facilities, the development can achieve an additional FSR of 0.15:1, if the development exceeds BASIX commitments for water and energy.

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, is 2.22:1 plus 10% bonus floor space, which totals 26,651sqm.

It is proposed that community facility floor space is excluded from the calculation of gross floor area.

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Figure 19. Revised reference scheme with PCYC (looking north)

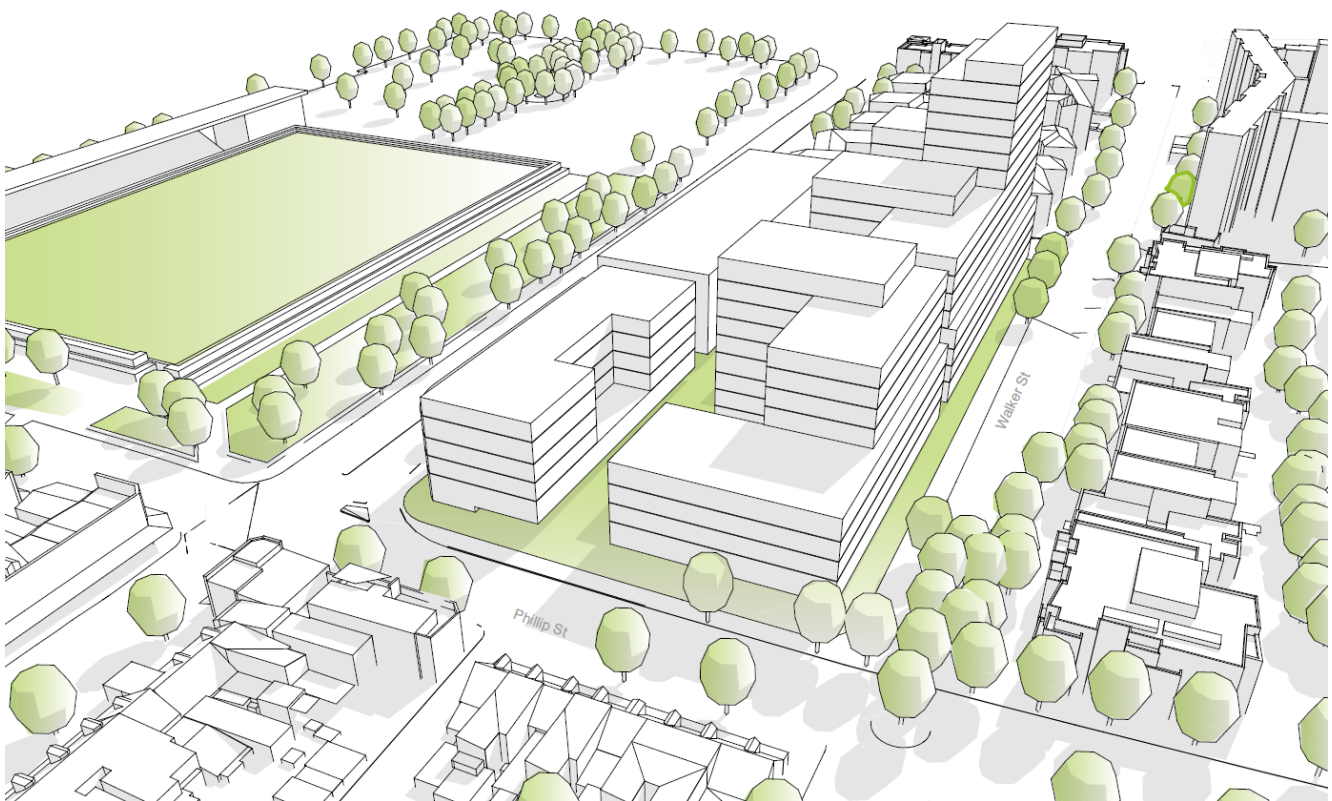
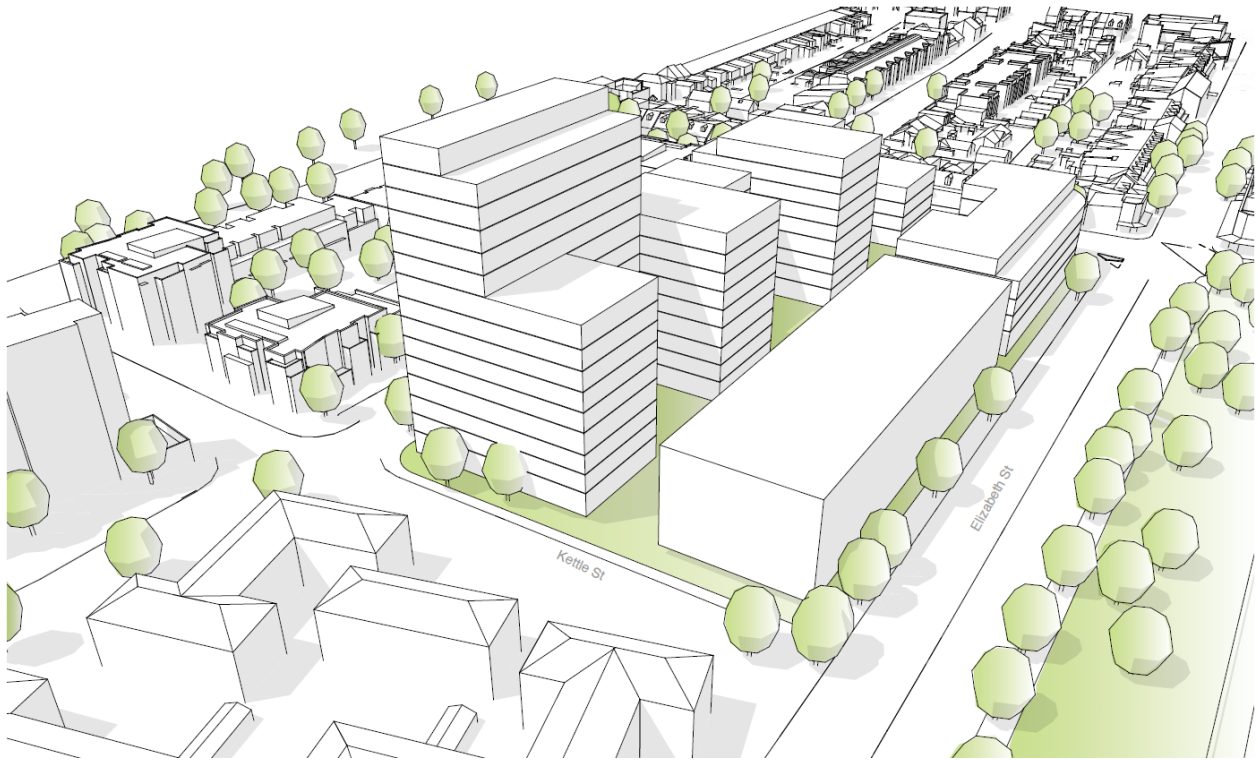


Figure 20. Revised reference scheme with PCYC (looking south)



### Housing Diversity and Affordability

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

This 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 consistent with the NSW Governments policy intent of a 30-minute city.

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.

On 6 July 2018, the NSW Government announced the site as the pilot for Communities Plus build-to-rent. The Project provides an opportunity for the private sector, in partnership with the not-for-profit sector, to fund, design, develop and manage the buildings as rental accommodation under a long-term lease. This is consistent with the NSW Government's *Future Directions for Social Housing* policy.

The NSW Government's Future Directions policy mandates that large redevelopments target a 70:30 ratio of private 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 of up to 7.5% of dwellings as affordable housing is consistent with the Greater Sydney Commission's target in the Eastern City District Plan of 5 to 10% affordable housing.



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 7.5% of residential GFA to be provided as affordable housing. The Planning Proposal does not include a provision for a minimum amount of social housing on the site, but it is understood that it will be 30%.

#### Police Citizens Youth Club

This Planning Proposal includes a site-specific clause to provide land for the continued operation of a community facility onsite. This would allow for the Police Citizens Youth Club (PCYC) or similar community facility to maintain its presence in the area.

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.

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. It is proposed that the community facility should be a minimum of 3,500sqm, however community facility floor space should not be counted toward gross floor area for the site. This will enable the community facility to be larger than 3,500sqm if desired, but still remain within the building envelope created.

The draft Design Guide provides further objectives and provisions that should be considered if a community facility is to be included in the development.

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

#### Zoning

To facilitate redevelopment of the site, this planning proposal seeks to rezone the site R1 General Residential in the LEP. The objectives and permissible land uses in the R1 General Residential zone are considered similar to the zone No. 2(b) Residential (Medium Density) under the South Sydney LEP 1998. This is a satisfactory translation to a standard instrument zone.

Land surrounding the site is predominately zoned R1 General Residential. Redfern Park, opposite the site is zoned RE1 Public Recreation. Small mixed use neighbourhood centres on Elizabeth Street and Chalmers Street are zoned B4 Mixed Use. To the east Danks Street shopping centre is zoned B2 Local Centre.

The proposed R1 General Residential zone will allow a range of uses on the site, including residential development, retail uses, community uses and child-care. The flexible range of non-residential uses in the R1 General Residential zone is appropriate for the site and will support future residents on site and in the broader neighbourhood.

#### Solar Access

The proposal will not result in any additional overshadowing to Redfern Park and Oval, and seeks to minimise solar impacts to neighbouring properties on Walker Street and Philip Streets.

#### Redfern Park

A key objective of this Planning Proposal is to not result in any additional overshadowing to Redfern Park. The revised preferred scheme demonstrates that development on the site can be designed to achieve this outcome. To ensure that any development does not overshadow Redfern

Park and Oval between 9am and 3pm all year round, this Planning Proposal includes a site-specific provision in the Sydney LEP 2012 to prevent overshadowing of these important spaces.

### **Walker Street interface**

To the east of the site, on Walker Street, there are 21 attached dwellings and two apartment buildings facing the Walker Street. The buildings were constructed in 2013 and are owned by NSW LAHC.

The Sydney DCP 2012 provides guidance for solar access to single dwellings including maintaining 2 hours of solar to surrounding dwellings and not creating any additional overshadowing to habitable rooms, where the dwelling does not currently achieve 2 hours.

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. Therefore, the focus of the reference scheme is to ensure the rear private open space and rear living spaces continue to achieve good solar access throughout the year.

Solar access requirements in SEPP 65 - Design Quality of Residential Flat Development and the Apartment Design Guide protect existing apartment buildings from unreasonable overshadowing by neighbours. Detailed solar analysis of the apartment buildings on Walker Street demonstrates that future development can comply with the solar access requirements for neighbouring apartments on Walker Street.

### **Phillip Street interface**

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. 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 preferred scheme provides a setback on this interface to minimise overshadowing to properties on the southern side of Phillip Street.

### **Flooding and Stormwater**

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 (Figure 21) and up to 2.8 metres for the PMF (Figure 22).

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.

The PMF for the site is higher than the 100-year ARI, and therefore, the basement entry and lobbies (where accessed from a basement) will need to be designed to be above the PMF level.

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. Preliminary testing indicates that a flood storage volume of approximately 3,200 cubic metres would be required to offset flooding impacts under a worst-case scenario.

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.

Figure 21. Existing 100-year ARI peak flood depth

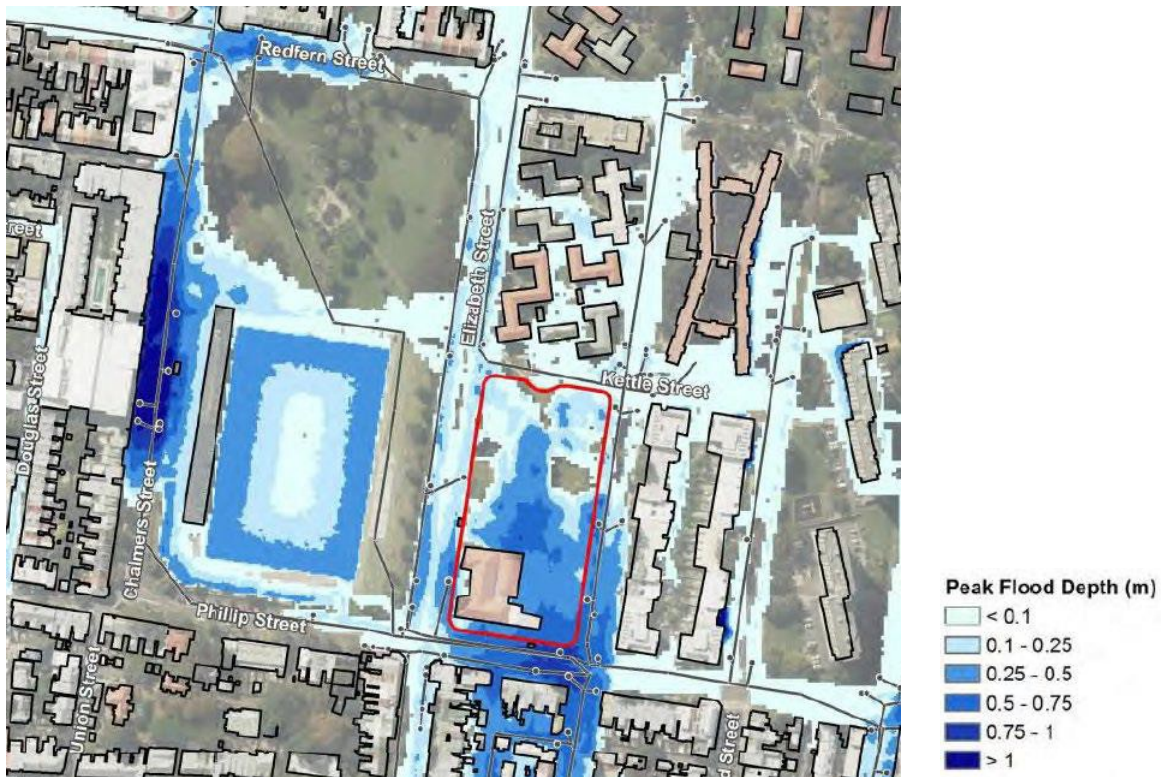
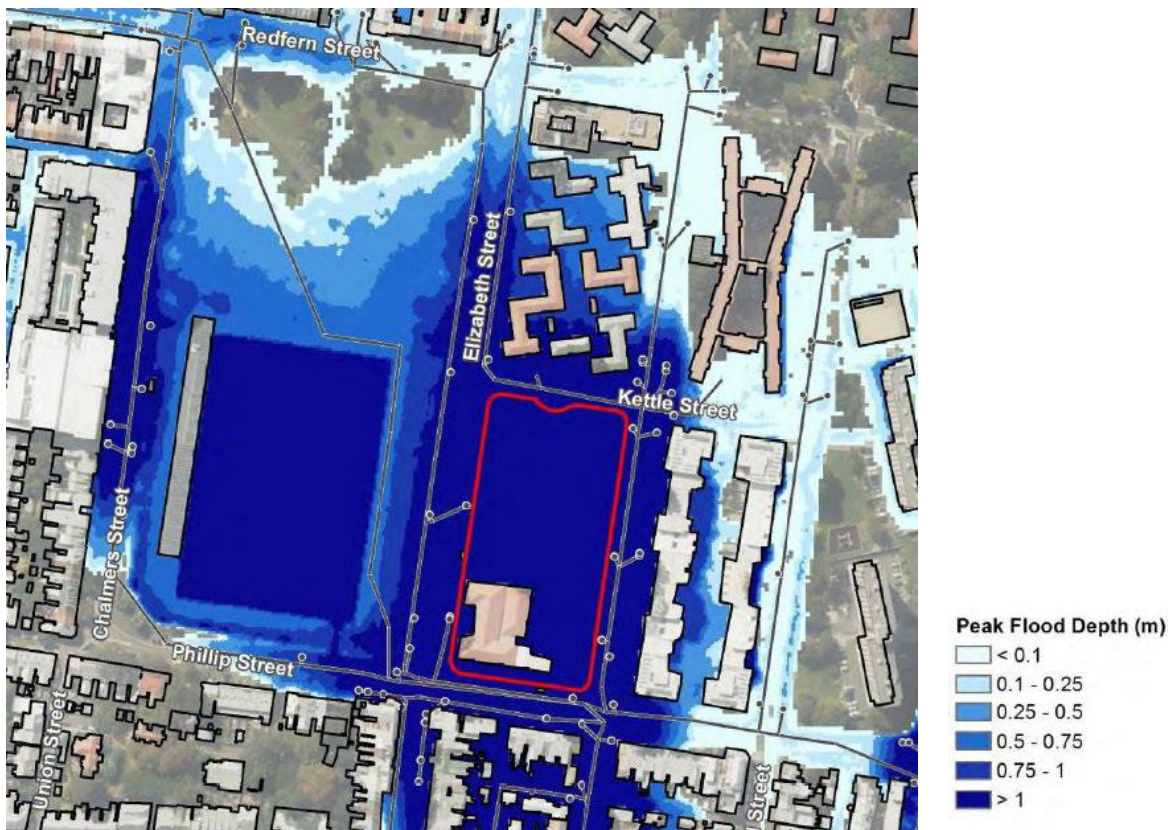




Figure 22. Existing PMF peak flood depth



### Design Excellence

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

### Heritage

The site is not identified as a heritage item, but is located adjacent to a State Heritage item and a heritage conservation area. The revised preferred 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 redevelopment of the site will 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

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 (DPIE) guidelines. The results and recommendations in the report are preliminary and will be updated as the planning process progresses.

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.

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.

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.

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.

### **Traffic and Transport**

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

#### **Road network**

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.

#### **Public Transport**

The site is within walking distance to 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 Redfern Street.

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.

Bus and train services are currently operating close to or at capacity; however, the additional public transport trips generated by the development would be minimal at less than 40 trips for work related trips in the AM peak hour. The future Waterloo Station and potential extension of Sydney Metro West to Zetland will significantly enhance public transport capacity in this area.

Car mode share is substantially lower than the Sydney average with only 29% as a car driver or passenger and walking and cycling making up more than 25% of trips. With future upgrades to public transport, improvements to the walking and cycling network, future car mode share is expected to decline over time.

#### **Pedestrian and cycling**

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. Both Kettle Street and Walker Street have both been closed, reducing the volume of traffic and making them suitable for cycling and walking.

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 surround the site

### **Car parking**

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 determining the maximum car parking rate. However, a comprehensive 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 comprehensive LEP amendment.

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.

The revised reference scheme proposes access to basement parking from Phillip Street as it will have the least impact on the local road network and is the least flood affected area of the site. Access is to be restricted from Elizabeth Street.

The access entry and ramp has been designed to provide sufficient turning widths for all vehicle types (including waste servicing) and can accommodate vehicles entering and exiting the property at the same time in forward direction.

### Sustainability

An Ecologically Sustainable Development Study establishes the recommended sustainability targets for future development on the site.

The following minimum targets are proposed to deliver energy and carbon reductions:

- BASIX Energy rating 40
- NABERS rating (commercial): 5.5 stars
- NatHERS rating: 6 star for all social and affordable dwellings
- 6 Star Green Star Communities
- 5 Star Green Star Design and As-Built

The following minimum targets are proposed to reduce potable water use:

- more than BASIX Water 40
- NABERS water rating (commercial) 4.5 stars

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

### Geotechnical

The planning proposal includes excavation for 2-3 basement levels across the majority of the site for car parking, site servicing and end of journey facilities. The planning proposal is accompanied by a Geotechnical Assessment. The site subsurface consists of different depths of fill, sands and clayey material overlying sandstone bedrock. Some parts of previously demolished building footings were also found below the ground surface of the site. The study found that excavation is possible without significant adverse impacts. The site was previously identified as Class 5 Acid Sulfate Soils under South Sydney planning controls. This is confirmed by the geotechnical and contamination assessment and is proposed in updated mapping to Sydney LEP 2012.

## 5.3. Draft Design Guide

Site-specific controls have also been included in the draft Design Guide to help guide the design for the block. These controls address built form, site servicing, sustainability and a design excellence strategy. These controls will help to ensure the benefits of the increased maximum building height and FSR are realised and impacts are appropriately managed. The draft Design Guide addresses the following key design considerations:



- Infrastructure and servicing
- Stormwater management
- Street trees
- Active frontages
- Building height
- Street frontage heights and setbacks
- Building design and bulk
- Parking and vehicular access
- Public art, and
- Design excellence provisions.

## 5.4. Need for the planning proposal

### **Q1. Is the Planning Proposal the result of an endorsed local strategic planning statement, strategic study or report?**

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

The landowner has undertaken a number of studies in support of the request. The supporting documents that were attached to the planning proposal request included:

- Attachment A: Design Report – Architectus, Silvester Fuller, Tyrrell Studio, Hoyne
- Attachment B: Draft Development Control Plan
- Attachment C: Site Survey
- Attachment D: Preliminary Built Heritage Assessment - Extent
- Attachment E: Aboriginal Heritage Assessment - Extent
- Attachment F: Historical Archaeological Assessment - Extent
- Attachment G: Traffic and Transport Assessment - Jacobs
- Attachment H: Stormwater Strategy - AECOM
- Attachment I: Community Infrastructure Study - Elton
- Attachment J: Housing Diversity and Affordability Study - HillPDA
- Attachment K: Arboricultural Assessment – Eco Logical
- Attachment L: Fauna and Flora Assessment – Eco Logical
- Attachment M: Ecologically Sustainable Development Report - AECOM
- Attachment N: Wind Assessment - WindTech
- Attachment O: Noise and Vibration Assessment - SLR Consulting
- Attachment P: Air Quality Assessment - SLR Consulting
- Attachment Q: Utilities and Services Report - AECOM
- Attachment R: Stage 2 Contamination Assessment - EMM
- Attachment S: Phase 1 Contamination and Geotechnical Assessment - AECOM
- Attachment T: Site Auditor Letter – ZOIC Environmental
- Attachment U: Geotechnical Assessment – Douglas Partners
- Attachment V: Climate Change Adaptation Study - AECOM
- Attachment W: Aeronautical Assessment – Strategic Airspace
- Attachment X: Public Art Framework - Milne & Stonehouse
- Attachment Y: Consultation Outcomes Report - RPS

### **Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. There are no alternative processes to achieve the intent of this planning proposal. The controls in the South Sydney LEP 1998 and South Sydney DCP 1997 provide limited opportunities for redevelopment of the site. The Planning Proposal seeks to amend the Sydney LEP 2012 which will apply standard instrument LEP controls to the site.

## 5.5. Relationship to strategic planning framework

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

#### *A Metropolis of Three Cities – the Greater Sydney Regional Plan*

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

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

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

Directions of particular relevance to this Planning Proposal include:

- **Direction 3:** A city for people
- **Direction 4:** Housing the City
- **Direction 5:** A city of great places
- **Direction 6:** A well-connected city, and
- **Direction 9:** An efficient city.

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

- responds to the increasing demand for social and affordable housing options in the inner city
- will provide a mix of housing to support a range of households
- proposed improvements to surrounding streets will improve connections to Redfern Park and create new spaces for residents and the broader community
- proximity to a range of public transport infrastructure, jobs and services is consistent with the 30-minute city concept
- is located adjacent to highly accessible public open space for future residents, and
- location will promote the use of active and public transport.

#### *Eastern City District Plan*

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

This Planning Proposal is consistent with the following priorities from the Plan:

- **Planning Priority E1: Planning for a city supported by infrastructure** - The District Plan addresses the need to provide more residential dwellings to support the projected population increase of 325,000 by 2036. This Planning Proposal seeks to plan for a city supported by infrastructure by increasing residential capacity of the site near to jobs,



services and amenities. Future residents will be near to jobs, as the site is located 3km from the CBD. The future Waterloo Metro will also support the new communities living within the proposed development, by providing efficient connectivity across Sydney.

- **Planning Priority E3 – Providing services and social infrastructure to meet people's changing needs and Planning Priority E4 – Fostering healthy, creative, culturally rich and socially connected communities** - This Planning Proposal will provide new social and affordable housing in an area of increasing demand and support a diverse community by providing a mix of housing and new public spaces that promote social integration and connectivity.
- **Planning Priority E5 – Providing housing supply, choice and affordability, with access to jobs, services and public transport** - This Planning Proposal will provide a mix of social, affordable and private dwellings, in a highly accessible and well-served location. The site is within walking distance to public transport connections to key employment centres.
- **Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage** - This Planning Proposal seeks to renew a predominately vacant Government-owned site to create new social, affordable and private housing. The Planning Proposal considers the adjacent heritage conservation area and State Heritage item, Redfern Park. The proposed built form responds to the site's heritage setting with lower scale buildings, landscaped setbacks and site-specific provisions.
- **Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city** - The site is located within walking distance from the future Waterloo Metro Station and the bus services along Elizabeth Street, enabling the 30-minute city concept by way of active and public transport.
- **Sustainability Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently** – This Planning Proposal and site-specific draft Design Guide includes targets to exceed BASIX requirements for water and energy targets, and sustainability targets.

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

##### **City Plan 2036: draft Local Strategic Planning Statement**

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

##### **Infrastructure**

- **I1 – Movement for walkable neighbourhoods and a connected city** - The Planning Proposal promotes walking and cycling in and around the site and is easily accessible via public transport. The site is considered well connected within the City of Sydney.
- **I3 – Supporting community wellbeing with social infrastructure** - The site promotes social cohesion and wellbeing through the delivery of an integrated, mixed tenure community on the site. The proposal will improve community well-being and social outcomes by providing new social and affordable housing in an established inner-city community.

### Liveability

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

### Sustainability

- **S2 – Creating better buildings and places to reduce emissions and waste and use water efficiently** - The site aims to improve the City's energy and sustainability priorities by setting sustainability targets for the site. The draft Design Guide contains provisions to achieve this objective.
- **S3 – Increasing resilience of people and infrastructure against natural and urban hazards** - The proposal manages all hazards and ensures future development can adequately addressed in the design of future buildings. The reference scheme demonstrates that future development on the site can manage and mitigate all potential hazards including flooding, noise and air quality constraints.

### Governance

- **G1 – Open, Accountable and collaborative planning** - The Planning Proposal has been informed by ongoing collaboration between NSW LAHC, DPIE, Government Architect, and the City of Sydney. The Planning Proposal will be subject to further community and stakeholder consultation to ensure open and collaborative planning for the site

### Local Housing Strategy: Housing for All

The City's local housing strategy identifies a target of 3,368 social and affordable dwellings in the LGA between 2022- 2016. This is based on the Council's target of 7.5% of all housing to be provided as affordable housing and 7.5% of all housing to be provided as social housing.

This Planning Proposal is consistent with the following priorities in the housing strategy:

- **H1 Facilitating more homes in the right locations** – This Planning Proposal provides an opportunity for social and affordable housing within Redfern, an established community, one of the most well-served, walkable and connected suburbs in Sydney.
- **H2 Coordinating housing growth with the delivery of infrastructure** - The Planning Proposal will deliver a diverse range of housing in an extremely accessible location well-served by existing and planned infrastructure. The site is within walking distance of a range of public transport infrastructure, jobs and services.
- **H3 Increasing diversity and choice in housing** - The site offers a mix of social housing to meet the needs and demands of low-income households. The provision of social housing on the site will make a meaningful contribution to the supply of social housing and continue to support a diverse community.
- **H4 Increasing the diversity and number of homes available for lower income households** - The Planning Proposal will increase the number of homes for lower income households. The Planning Proposal seeks to maximize the delivery of social and affordable on the site.
- **H5 Increasing the amount of social and supported housing** - The Planning Proposal seeks to maximize the delivery of social and affordable on the site, consistent with Government policy. The Planning Proposal includes a site-specific provision to provide a minimum 10% affordable housing on the site.
- **H6 Improving NSW Government controlled site outcomes** - The Planning Proposal and reference scheme have been developed to with the overarching objective of creating a

people-focused, integrated community with high-quality spaces that will bring people together. The Planning Proposal will include market housing, social housing, and affordable housing. It also provides flexibility for a range of residential and supporting non-residential uses that will meet residents' daily needs.

- **H7 Increasing liveability, sustainability and accessibility through high quality residential design** - The Planning Proposal will deliver great streets that reflect the character of the neighbourhood – with lots of trees, improved walking connections and an enhanced public domain on Kettle Street. The proposal will deliver a high level of amenity (internal and external amenity) and includes sustainability targets for future development

### Sustainable Sydney 2030: Community Strategic Plan 2017–2021

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

- **Direction 1 – A globally competitive and innovative city** – The planning proposal will support Sydney's role as an important centre of business and investment by providing additional housing options for workers in a high amenity area located within 30 minutes of the city.
- **Direction 2 provides a road map for the City to become a Leading Environmental performer** – Redevelopment of the site, facilitated by this Planning Proposal and through the design excellence process, will deliver new building stock with significantly better environmental performance than the current development through extensive sustainability provisions detailed in the attached draft Design Guide.
- **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.
- **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.
- **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.
- **Direction 6 – Resilient and inclusive local communities** - The proposal will provide for safe and attractive open spaces, and improved public domain, along with shared communal spaces to encourage community interaction.
- **Direction 7 – A cultural and creative city** - Further opportunities for cultural and collaborative expression will be enabled within public and communal spaces.
- **Direction 8 – Housing for a diverse community** - The planning proposal promotes a diverse supply of housing that supports social and economic diversity. The proposal will provide for people of all income levels, household types, ages and abilities in housing that they can live in through all stages of their lives. The Planning Proposal will encourage a thriving, diverse and a liveable community in the Redfern area.
- **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.



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

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

### Table 1: Consistency with SEPPs

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

Sydney REP 26—City West;  
 Sydney REP 30—St Marys;  
 Sydney REP 33—Cooks Cove;  
 Sydney REP (Sydney Harbour Catchment) 2005.

#### State Environmental Planning Policy (Affordable Rental Housing) 2009

The Planning Proposal is consistent with the aims of the SEPP. The Planning Proposal includes a provision requiring a minimum percentage of affordable housing to be provided as part of future development. As this Planning Proposal requires a minimum amount of affordable housing, the proposal seeks to list the site in clause 1.9(2A) of the Sydney LEP 2012 so Division 1 of the SEPP does not apply.

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

The Planning Proposal's consistency with applicable section 9.1 Ministerial directions is outlined in Table 8. Directions which are not applicable are not included.

### Table 2: Consistency with Ministerial directions

No.	Direction	Comment
<b>2. Environment and Heritage</b>		
2.3	Heritage conservation	Consistent. Although not a heritage item itself, the development has considered its impact on the surrounding heritage items and conservation areas.
2.6	Remediation of Contaminated Land	Consistent. The planning proposal is accompanied by a Stage 2 Contamination Assessment which concludes that the site can be made suitable for the proposed development, subject to development of a remediation strategy and associated environmental management measures. The site's suitability will be demonstrated as part of a future detailed development application for the site.
<b>3. Housing Infrastructure and Urban Development</b>		
3.1	Residential Zones	Consistent. The Planning Proposal will not reduce the permissible residential density on the site.
3.4	Integrating Land Use and Transport	Consistent. The site is well located with easy access to transport services, including Redfern train station within 900 metres of the site, Waterloo Metro within 850 metres and access to multiple bus routes. The Planning Proposal will enable the intensification of housing in a well-

No.	Direction	Comment
3.5	Development near Licensed Aerodromes	connected site and will encourage use of public transport services.
		Consistent. For the purposes of this direction, Sydney Kingsford Smith Airport (1- PMBD) is the closest licenser aerodrome to the subject site. The site is not within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25. The proposed building heights are under the Obstacle Limitation Surface (OLS).
<b>4. Hazard and Risk</b>		
4.1	Acid Sulfate Soils	Inconsistent. Relevant Acid Sulfate Soils Guidelines have been considered. A contamination and geotechnical assessment has been prepared in support of the proposal, endorsed by a Site Auditor. The site has been identified as Class 5 on the Acid Sulfate Soils Map as per the assessment. The presence of ASS can be reasonably addressed under any future DA.
4.3	Flood Prone Land	Inconsistent. The Planning Proposal is consistent with the City of Sydney Interim Floodplain Management Policy, prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005.
<b>5. Regional Planning</b>		
5.10	Implementation of regional plans	Consistent. This direction requires planning proposals to give effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans. This planning proposal supports the implementation of the Eastern City District Plan.
<b>6. Local Plan Making</b>		
6.1	Approval and referral requirements	Consistent. This direction ensures that LEP provisions encourage the efficient and appropriate assessment of development. This planning proposal does not include any concurrence, consultation or referral provisions. Additionally, it does not identify any development as designated development.



6.3	Site-specific provisions	Inconsistent. Division 5 of the LEP contains site-specific provisions for various sites across the City. This Planning Proposal involves introducing site-specific controls into the LEP to ensure an appropriate dwelling mix and community facilities on the site.
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## 7. Metropolitan Planning

7.1	Implementation of A Plan for Growing Sydney	Consistent. The aim of this direction is to give legal effect to the principles, directions and priorities contained in the Greater Sydney Region Plan – a Metropolis of Three Cities. This Planning Proposal discusses how the proposal is consistent with a Metropolis of Three Cities.
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## 5.6. Environmental, social and economic impact

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

The Planning Proposal will not adversely affect any threatened species, populations or ecological communities.

#### Threatened species

The site is likely to provide foraging habitat for Grey-headed Flying-fox, a vulnerable species under the *Biodiversity Conservation Act 2016* (BC Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). An assessment of its significance and consultation can be undertaken (if required) after a Gateway determination is issued.

#### Trees

An Arboricultural Impact Assessment report assesses the potential impacts of the development footprint on the tree protection zones of trees in the study area.

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.

Many of the existing trees on site and a number of street trees are planted exotic species. The Planning Proposal will restore the site and the surrounding streets with more suitable native and endemic species as part of a balanced development outcome.

Of the 11 high retention value trees, the proposal would potentially have a high impact on four high retention trees. These trees are located on Walker Street and would be impacted as a result of basement access to the site.

To mitigate any potential loss of trees, this planning proposal provides for a minimum 15% tree canopy cover and a minimum of 1650 square metres of deep soil is to be provided on the site. This is more than required by the ADG and will ensure any loss of trees is adequately offset and will improve landscape values and biodiversity outcomes with more appropriate tree plantings.

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 Magenta Lilly Pilly located on site is an individual, planted street tree, occurring outside of its natural range. Therefore, an assessment of significance and the application of Significant Impact

Criteria is not required. The reference scheme demonstrates that development on the site would not have any impacts on the Magenta Lilly Pilly.

Mitigation measures will be considered at the detailed design stage and addressed as part of any future development applications on the site.

Figure 25. Existing trees



### Wind

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.

### Noise

An analysis of the Noise Impact Assessment prepared to support the reference scheme and the revised preferred scheme demonstrates that the proposed development is acceptable for the site, subject to appropriate mitigation measures, including acoustic attenuation measures and treatments to be incorporated within the detailed design phase. Further acoustic attenuation details will be provided as part of subsequent development applications for the site.

### Air quality

An Air Quality Assessment has been prepared to support the planning proposal. This report provides an assessment of potential air quality impacts associated with the proposal. The primary source of air emissions in the surrounding area is from vehicles travelling along Elizabeth Street and other local roads.

The assessment concludes that the site is suitable for the intended predominately residential, mixed use development. Future development is capable of achieving compliance with the

Planning Proposal – 600-660 Elizabeth Street, Redfern  
relevant air quality criteria at all locations, subject to recommended design mitigation measures. Detailed air quality mitigation measures will be provided as part of any future development applications for the site.

#### Visual Impact

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.

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.

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.

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.

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

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

The planning proposal and supporting revised preferred scheme, confirms that all potential environmental impacts can be appropriately managed and mitigated.

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

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

#### Public Art

The Planning Proposal includes a Public Art Framework which provides a comprehensive strategy that will provide significant guidance for future development of the site and its subsequent curators. It is noted that the Framework recommends an Aboriginal curator be engaged to work with Aboriginal artists. Details of public art to be provided on the site will be part of any future development applications for the site.

## 5.7. State and Commonwealth interests

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

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

The draft Design Guide proposes site-specific provisions to appropriately manage traffic impacts including location of vehicle entries and servicing.

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



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

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

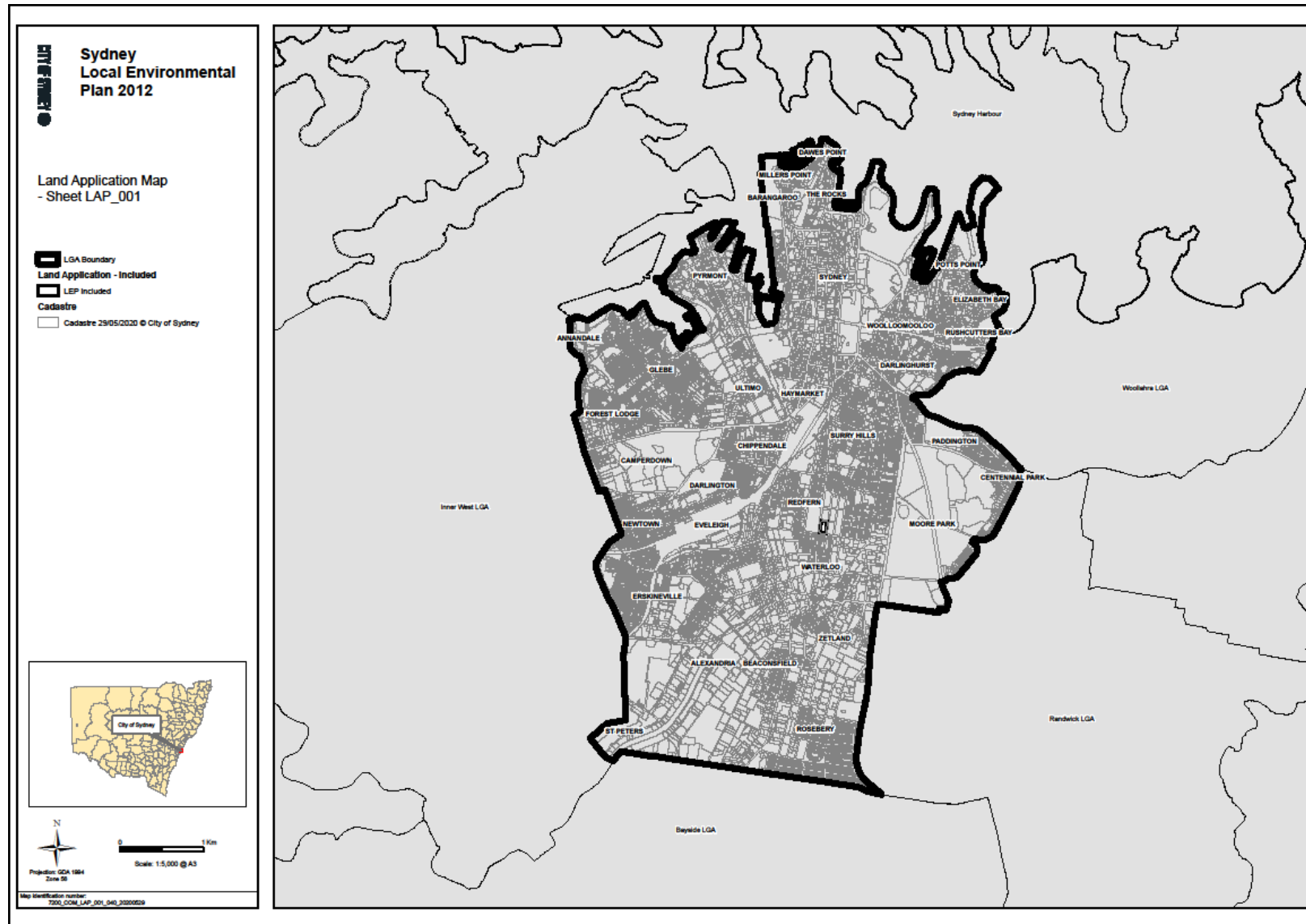
Aeronautical

The planning proposal is accompanied by an Aeronautical Assessment. This report concludes that the proposed development would have no negative impact on aeronautical activities to and from the Sydney airport as the highest tower of 80 metres is under the Radar Terrain Clearance Chart (RTCC) surface height of 152.4 metres and the Obstacle Limitation Surfaces (OLS), which is 90-96 metres above the site. However, construction cranes will exceed the OLS height and will require approval under the Airports (Protection of Airspace) Regulations 1996.

## 6. Mapping

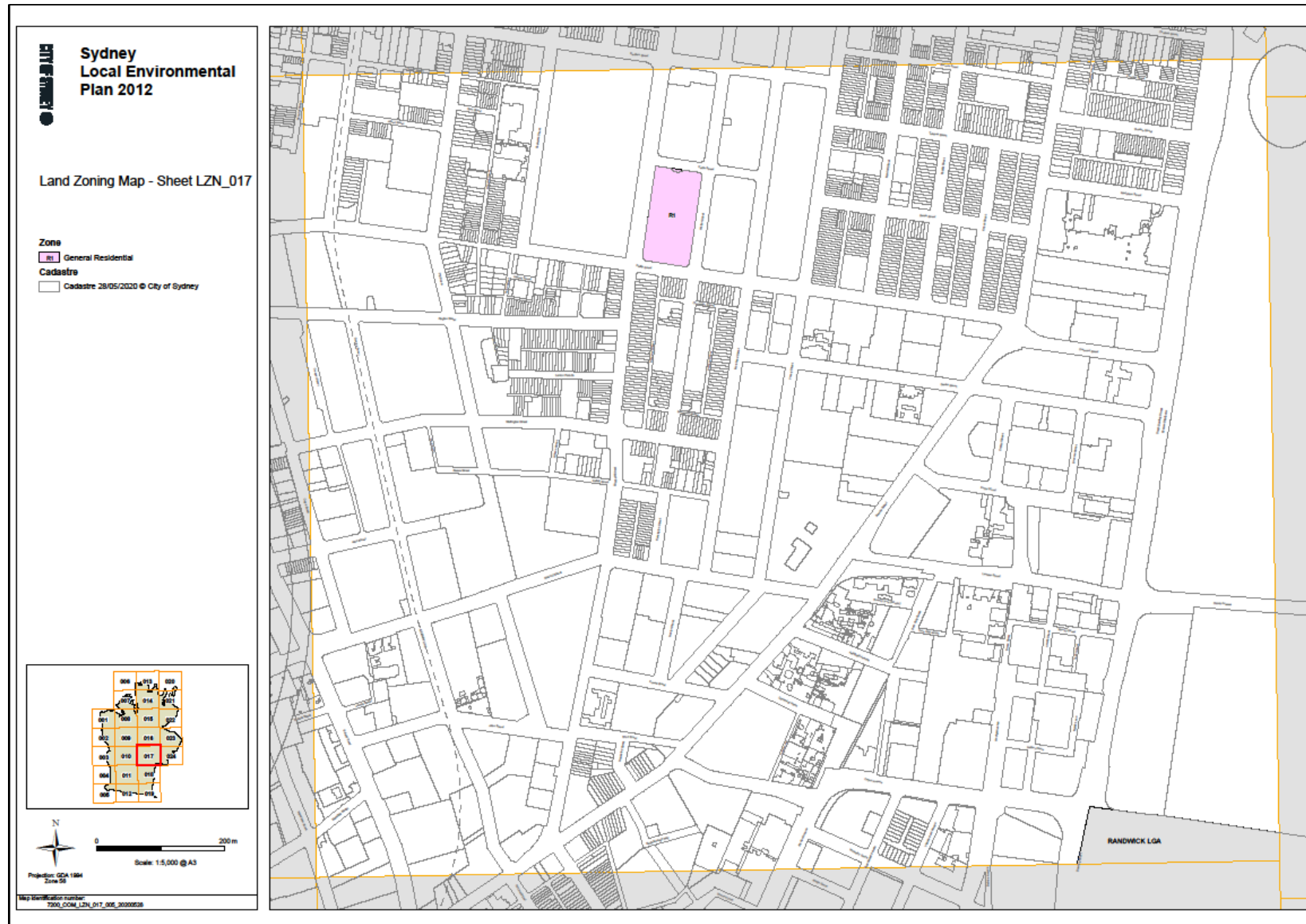
The planning proposal seeks to amend the following maps contained in Sydney LEP 2012:

- Land Application Map – Sheet LAP\_001
- Land Zoning Map - Sheet LZN\_017
- Floor Space Ratio Map - Sheet FSR\_017
- Height of Buildings Map - Sheet HOB\_017
- Land Use and Transport Integration Map - Sheet LUT\_017
- Public Transport Accessibility Level Map – Sheet TAL017
- Active Street Frontages Map - Sheet AFS\_017
- Acid Sulfate Soils MAP – Sheet ASS\_017

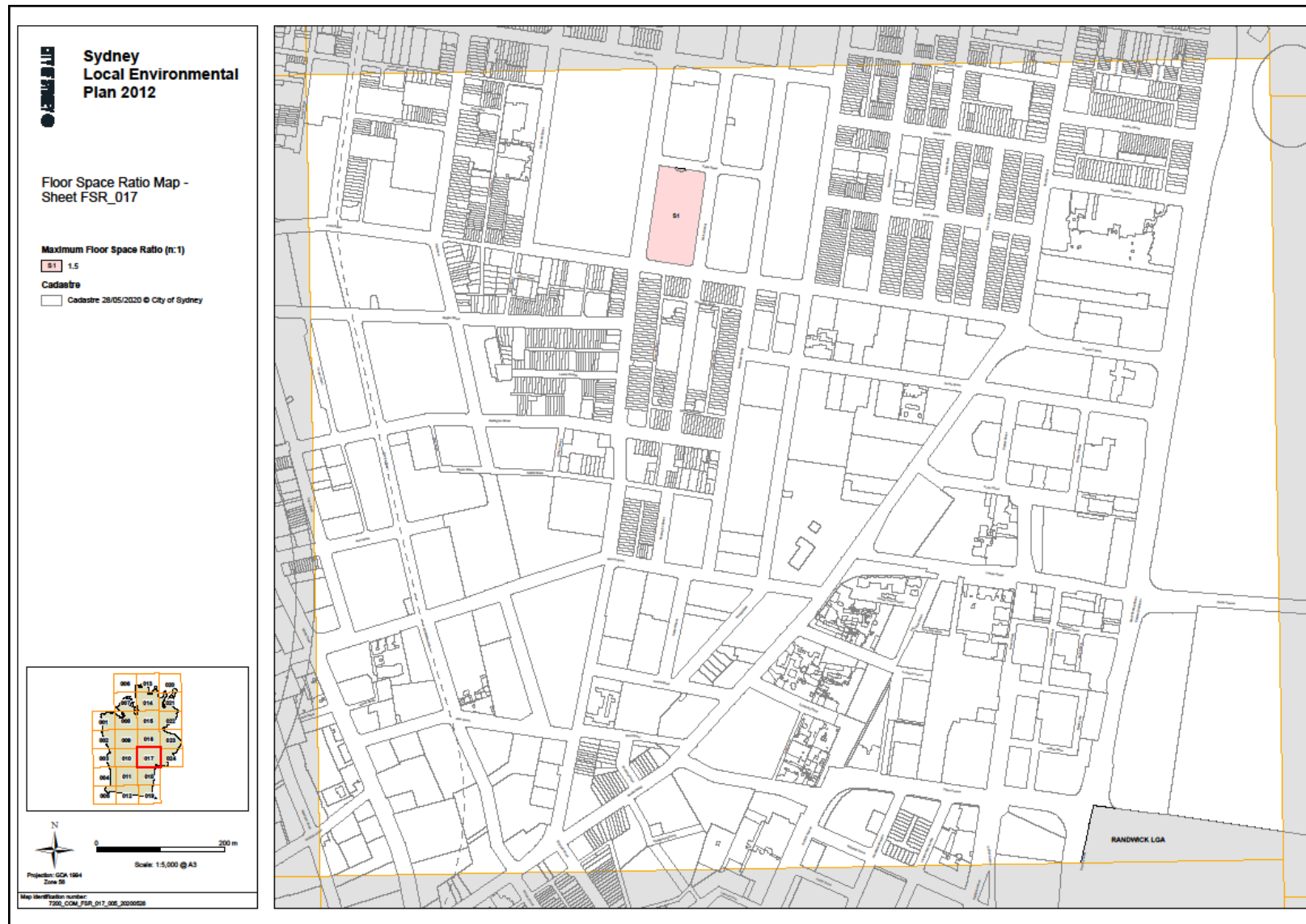


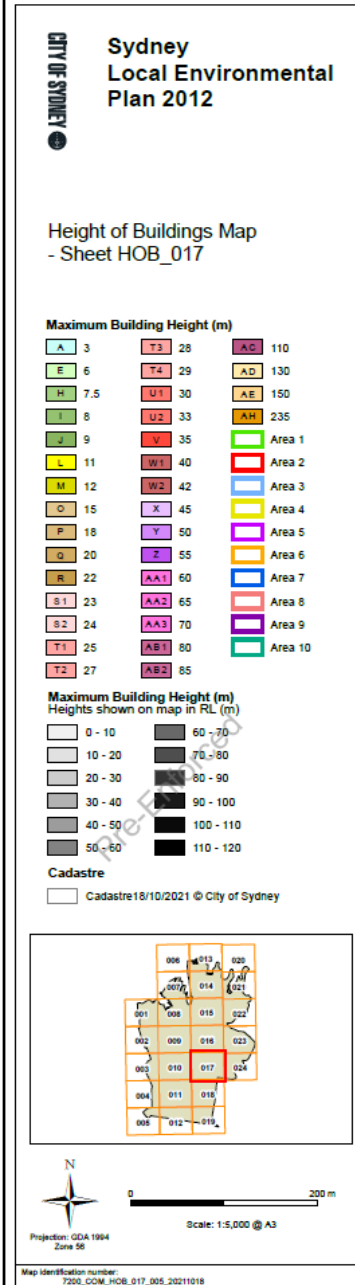
# Planning Proposal – 600-660 Elizabeth Street, Redfern

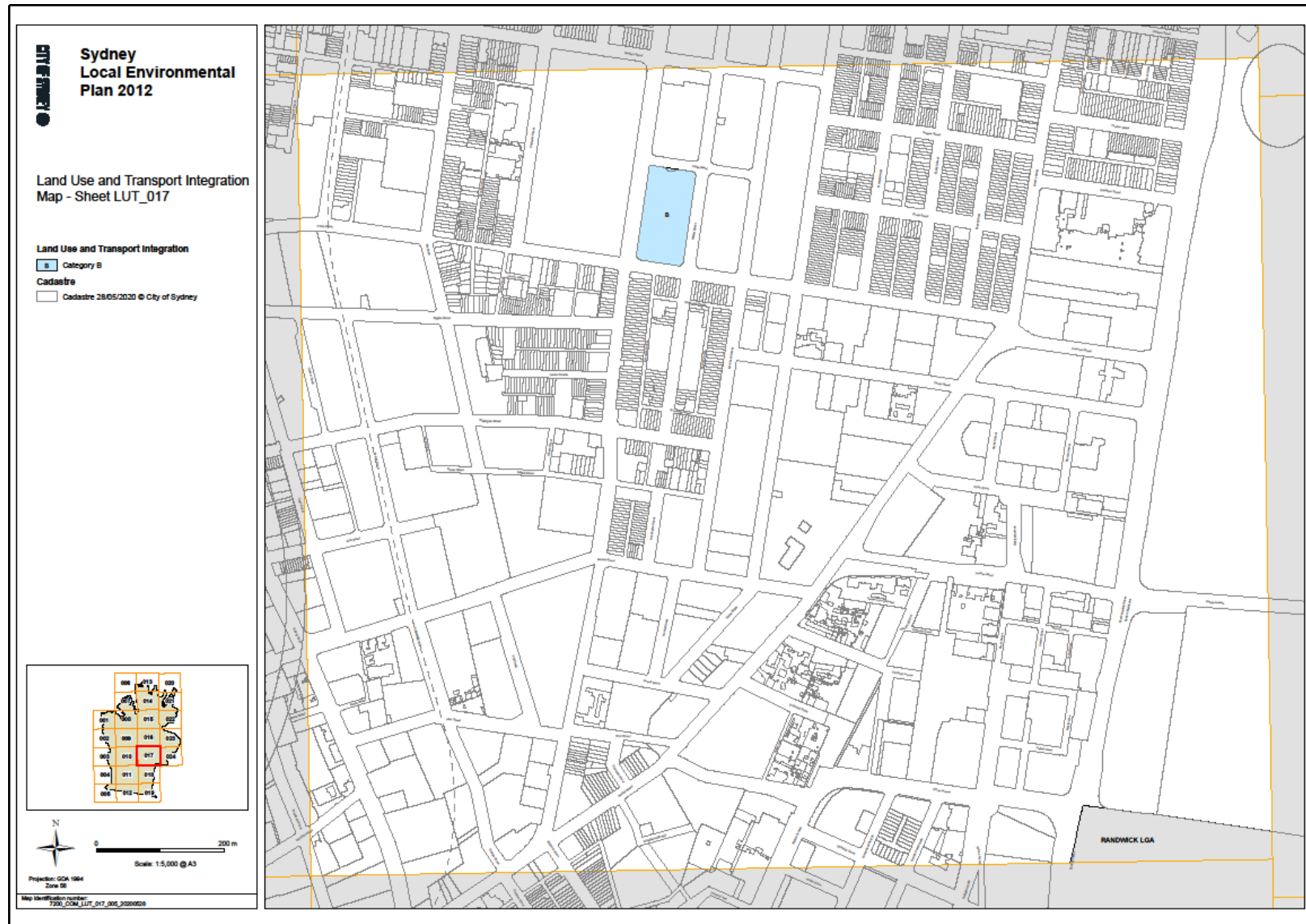
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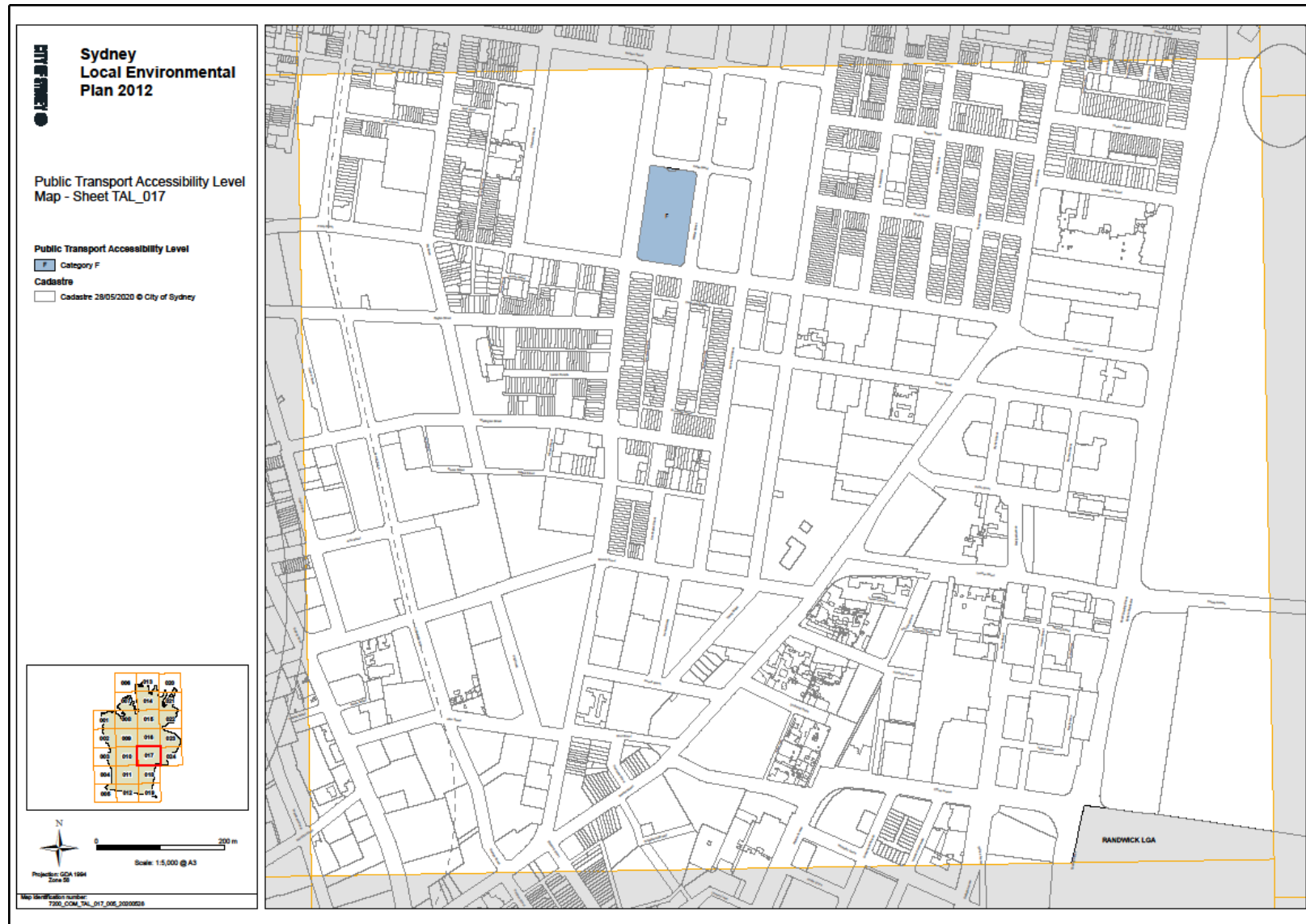




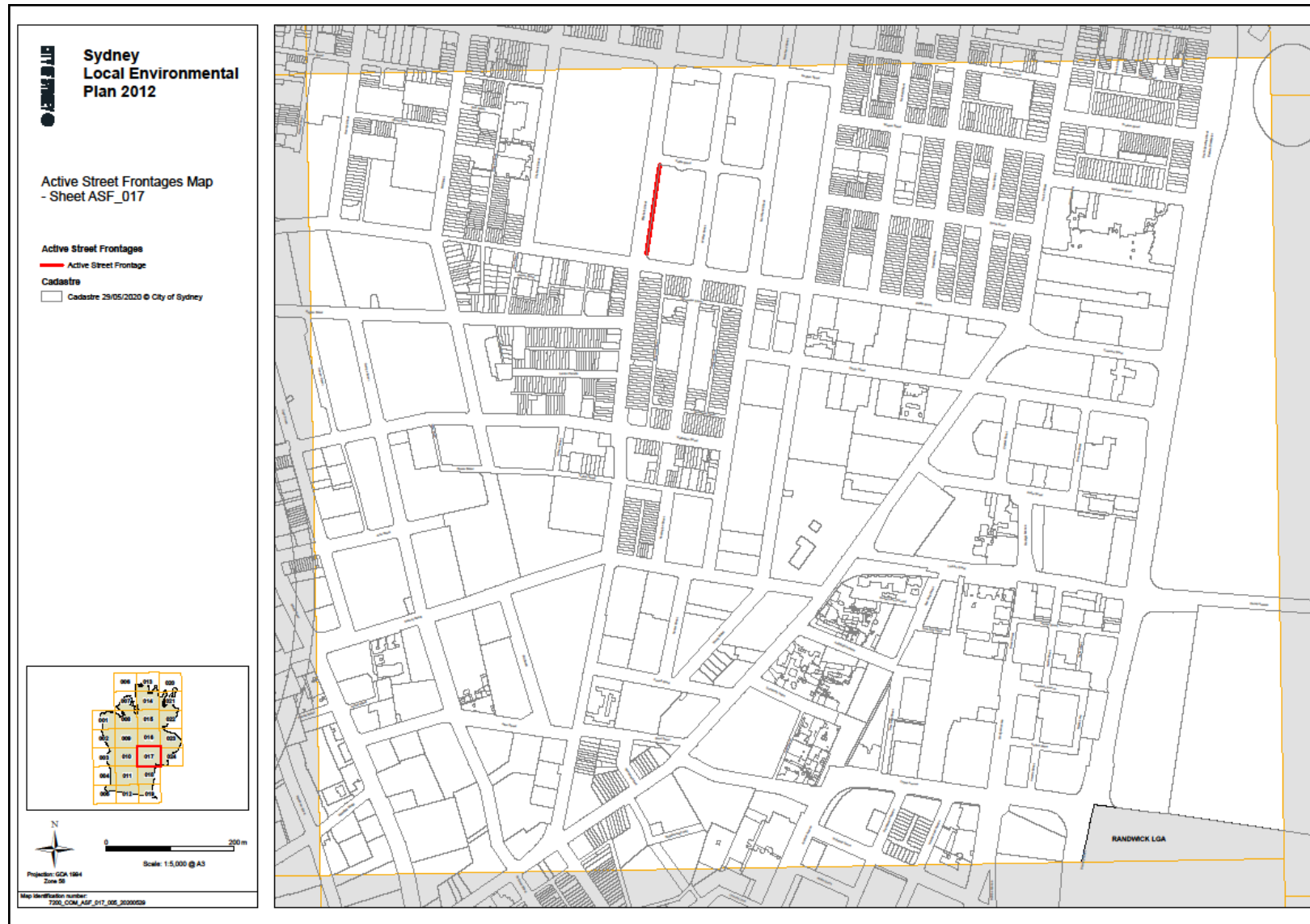


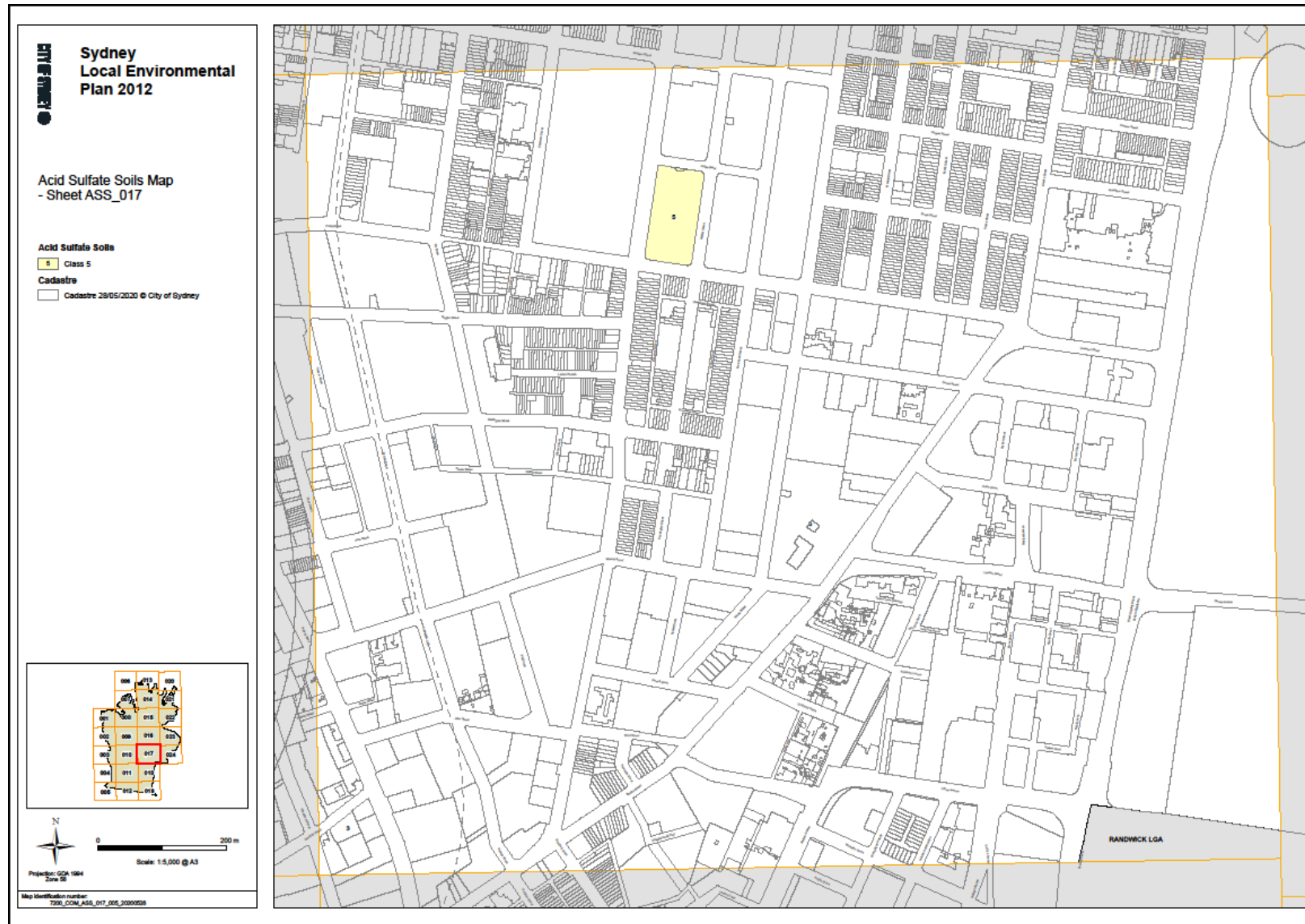












## 7. Community consultation

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

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the Planning Proposal on the City of Sydney website, relevant local newspaper(s) (if required) circulating widely and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

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

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

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

## 8. Project Timeline

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

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



