

10 September 2018

At the conclusion of the Cultural and Community Committee

Transport, Heritage and Planning Committee

Sydney 2030 / Green / Global / Connected

Agenda

1. **Disclosures of Interest**
2. **Request To Prepare A Planning Proposal - 44-78 Rosehill Street, Redfern**
3. **Public Exhibition – Planning Proposal and Draft Development Control Plan - Darlinghurst Road, Potts Point**
4. **Post Exhibition – Planning Proposal – 102-106 Dunning Avenue, Rosebery – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment and Planning Agreement**
5. **Public Exhibition - Planning Proposal - 30-62 Barcom Avenue, Darlinghurst - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**
6. **Pre Exhibition – Planning Proposal – 12-22 and 24 Rothschild Avenue, Rosebery – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**
7. **Post Exhibition - Planning Proposal - Affordable Rental Housing Review - Sydney Local Environmental Plan 2012 and Affordable Housing Program and Pre Exhibition - Planning Proposal - Affordable Rental Housing Review - Green Square Town Centre**
8. **Post Exhibition - Planning Proposal - Serviced Apartments - Amendments to Sydney Local Environmental Plan 2012 - Sydney Local Environmental Plan 2005 - Sydney Local Environmental Plan Green Square Town Centre 2013 and Sydney Local Environmental Plan - Green Square Town Centre Stage 2 2013**
9. **Public Exhibition - Planning Proposal - Heritage Floor Space Amendment**

Guidelines for Speakers at Council Committees



As part of our democratic process, the City invites members of the community to speak directly to Councillors during Committee meetings about items on the agenda.

To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Council's Secretariat on 9265 9310 before 12.00 noon on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.
6. Before speaking, turn on the microphone by pressing the button next to it and speak clearly so that everyone in the Council Chamber can hear.
7. Be prepared to quickly return to the microphone and respond briefly to any questions from Councillors, after all speakers on an item have made their presentations.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as Council staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are on line at www.cityofsydney.nsw.gov.au, with printed copies available at Sydney Town Hall immediately prior to the meeting. Council staff are also available prior to the meeting to assist.

Item 2.

Request to Prepare a Planning Proposal - 44-78 Rosehill Street, Redfern

File No: X018231

Summary

The City of Sydney has received a planning proposal request to change the height and floor space controls in Sydney Local Environmental Plan 2012 that apply to a single site located at 44-78 Rosehill Street, Redfern (the site) - near the Australian Technology Park (ATP) and Redfern Station.

The site currently consists of a two storey building with commercial tenancies and car parking at ground level. If progressed, the planning control changes will enable two predominantly residential towers of 18 and 30 storeys (up to 100 metres in height) containing over 26,000 square metres of floor space and 312 new residential apartments. A public benefit offer of five to eight per cent of residential floor space being affordable rental housing has been made in conjunction with the planning proposal request.

The Greater Sydney Region Plan - A Metropolis of Three Cities (Region Plan) identifies the importance of a place-based planning approach to provide good outcomes in a growing city. It places a strong emphasis on the need for a coordinated approach to strategic planning and the need for collaboration. By doing so, places are more liveable, productive and sustainable. Importantly, planning effectively for growth requires a methodical and sequenced approach, particularly the need to sequence infrastructure with growth.

Redfern Station is Sydney's sixth busiest station and remains one of the least accessible. The City of Sydney shares the concerns of the University of Sydney and the ATP that there are no funded plans or commitment from the NSW State government to improve the accessibility of Redfern Station and to address current demand and forthcoming growth.

The site is identified as being within the Harbour CBD and Innovation Corridor as defined in the Region Plan and Eastern City District Plan (District Plan). The focus of these areas is employment growth and innovative industries.

Given the predominantly residential floor space makeup, this proposal does not align with the NSW Government's strategic intent for the area in the Region Plan or the District Plan. The proposal has insufficient site-specific merit because it will result in an unacceptable overdevelopment for a site of its size and context, and will create significant wind impacts which cannot be managed effectively.

It is inappropriate to change planning controls for an individual site with such strategic importance in isolation of place-based planning strategies for the wider area that consider local context and infrastructure needs. For example, inappropriate height and bulk will lead to overshadowing impacts on surrounding sites which will limit their future development potential. A place based strategy will ensure development can be shared equitably across a wider range of land owners and future developers.

Such a strategy is being prepared by the Department of Planning and Environment by way of the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP). The City of Sydney has been advised that the site is located within the LUIIP investigation area.

The City of Sydney is also preparing a Local Strategic Planning Statement, as required by the Environmental Planning and Assessment Act 1979. The statement must include or identify the basis for strategic planning in the City of Sydney, having regard to economic, social and environmental matters; the planning priorities for the area; and actions required for achieving those planning priorities. This statement will therefore be strongly oriented towards place-based outcomes and describe a 20-year vision for land use planning in the City's villages. The Department of Planning and Environment requires that the statement is exhibited as soon as July 2019.

The Redfern and Waterloo area will undergo significant growth in the coming years. Changes should comprise part of a broader strategic investigation that better understands future infrastructure needs for the wider surrounding area. Changing the planning controls for the site would therefore be premature at this stage because of imminent strategic planning work.

The NSW Department of Planning and Environment provides A Guide to Preparing Planning Proposals which includes criteria to assess the merits of a planning proposals. The guide states that planning proposal requests are to be assessed on their strategic merit and site-specific merit. This report outlines the City's staff assessment of the request, and recommends that Council note that the City of Sydney will not progress the planning proposal request because it lacks sufficient strategic merit and site-specific merit.

Recommendation

It is resolved that Council note:

- (A) the matters in this report, discussing the background to, and the reasons why the City of Sydney will not progress a request to prepare a planning proposal to amend the building height and floor space ratio controls in Sydney Local Environmental Plan 2012 for the site located at 44-78 Rosehill Street, Redfern;
- (B) that the proponent of the planning proposal request will be formally advised by the Chief Executive Officer of the reasons why the planning proposal request is an inappropriate outcome for the site and for the locality, taking into account all relevant matters including NSW state government draft or final plans, strategies or policies that affect the Redfern and Waterloo area and/or the Redfern to Eveleigh Corridor; and
- (C) the public benefit offer made by Redfern Rosehill Pty Ltd, shown at Attachment C to the subject report.

Attachments

- | | |
|----------------------|---|
| Attachment A. | Advice from the Department of Planning and Environment to Consider a Planning Proposal Request for 44-78 Rosehill Street, Redfern |
| Attachment B. | Assessment of Strategic Merit and Site Specific Merit |
| Attachment C. | Public Benefit Offer from Redfern Rosehill Pty Ltd |
| Attachment D. | Planning Proposal Request prepared by Willowtree Planning Pty Ltd on behalf of Redfern Rosehill Pty Ltd |

Background

1. The Greater Sydney Region Plan - A Metropolis of Three Cities (Region Plan) discusses the importance of a place-based planning approach to provide good urban outcomes in a growing city. It places a strong emphasis on the need for a coordinated approach to strategic planning and the need for collaboration. By doing so, places will be more liveable, productive and sustainable.
2. Importantly, planning effectively for growth requires a methodical and sequenced approach, particularly the need to sequence infrastructure with growth. In the Region Plan, the Greater Sydney Commission outlines a collaborative model for aligning growth and infrastructure, where new infrastructure increases the development capacity of an area and development provides funding for infrastructure investment. It states:

"Effectively aligning infrastructure with growth...requires a whole-of-government approach and a place-based understanding of sequencing of infrastructure delivery...This new approach supports the appropriate growth and infrastructure being provided at the right time. At a district or regional level it could provide valuable context for decision-making."
3. This place-based approach is evidenced by a range of planning strategies, policies, guidelines and directions introduced recently by the NSW Government. Councils are increasingly being asked to think about how to plan for places, rather than for individual sites.
4. NSW Government planning guidelines require that planning proposals seeking to amend planning controls must demonstrate that they have strategic merit. If a planning proposal request does not demonstrate strategic merit, then it should not progress or should be revised to ensure that it aligns with district and regional plans, local planning strategies, future infrastructure capacity, and other relevant strategic considerations.
5. The Redfern and Waterloo area is set to undergo significant changes in coming years due to employment growth at the Australian Technology Park, student and employment growth at The University of Sydney, and NSW Government-led renewal projects that are in various stages of delivery. There are also planned upgrades at Central and Redfern stations, a new Sydney Metro station at over station development at Waterloo, major renewal of the Waterloo social housing estate, and possible changes to the operation of Botany Road.
6. Apart from a new Sydney Metro station at Waterloo, the only other significant transport infrastructure committed by the NSW State government is the Alexandria to Moore Park Connector road expansion, which will have negative impacts on local amenity and add to existing road congestion. It is also noted that there are plans in the public domain funds committed to improve access and capacity of Redfern or Central Station.
7. Within this context of a stronger focus on place-based planning from the NSW state government, and radical change in Redfern and Waterloo, the City has received a planning proposal request to change the planning controls for a single site located at 44-78 Rosehill Street, Redfern (the site). The proponent requests Council approve the planning proposal request and seek a Gateway determination from the Greater Sydney Commission to publicly exhibit the proposal.

8. The proposed changes would enable two predominantly residential towers of 18 and 30 storeys containing over 26,000 square metres of floor space including 312 new apartments and 246 parking spaces. This will increase the current building height from 2 storeys to 30 storeys, and the Floor Space Ratio from 2:1 to 10.4:1.
9. This proposal does not align with the NSW Government's strategic intent for the area in that it is an unacceptable overdevelopment for a site of its size. The reasons for this are discussed in detail in this report. Furthermore, it is inappropriate at this time to make changes to planning controls for a site with strategic importance in isolation of planning strategies for the wider area which are currently in the process of being developed. Changes should comprise part of a broader strategy for the Botany Road corridor and investigations of the infrastructure needs for the wider surrounding area, which is currently being prepared by the Department of Planning and Environment. The site's future built form and land use mix should respond to these planned changes when they are publicly available.

Place-Based Planning

10. Some key ways the NSW Government is currently implementing coordinated place-based planning is via District Plans, Local Strategic Planning Statements and Better Placed: An integrated design policy for the built environment of New South Wales. These are described below.

District Plans

11. District Plans outline a strategic planning framework for councils over a 20-year horizon, and provide a bridge between regional and local planning. They inform local environmental plans, community strategic plans and the assessment of planning proposals. Directions and priorities provide guidance to councils to plan and deliver for growth and change, and to align their local planning strategies to place-based outcomes.
12. To deliver high-quality, community specific and place-based outcomes, the Eastern City District Plan states that:

"...planning for the District should integrate site-specific planning proposals with precinct-wide place and public domain outcomes through place-based planning. This is a method by which great places can capitalise on the community's shared values and strengths and the place's locally distinctive attributes through collaboration and meaningful community participation."
13. This place-based drive towards increased liveability in the Eastern City District Plan (District Plan) also extends to planning for productivity. The Plan defines the Harbour CBD as a place with a strong focus on jobs and economic growth. It sets a baseline target of 662,000 jobs and a higher target of 732,000 jobs for this area by 2036, representing an increase of up to 235,100 jobs over 20 years.

14. On the western edge of the Harbour CBD the District Plan maps the emerging "Innovation Corridor. This corridor has an important role as a place that supports the Harbour CBD. It includes universities, a teaching hospital, international innovation companies and start-ups. The Plan states that:

"The creative and digital industries and business support services in this corridor are important to the competitiveness and attractiveness of Greater Sydney and need to be fostered and supported."

Local Strategic Planning Statements

15. The City of Sydney is also preparing a Local Strategic Planning Statement, as required by the Environmental Planning and Assessment Act 1979. Local Strategic Planning Statements must include or identify the basis for strategic planning, having regard to economic, social and environmental matters; the planning priorities for the area; and actions required for achieving those planning priorities. The Department of Planning and Environment requires that the statement is exhibited as soon as July 2019.
16. Local Strategic Planning Statements will be strongly geared towards place-based outcomes. They will describe a 20-year vision for land use planning in local government areas, the special characteristics which contribute to local identity, shared community values to be maintained and enhanced, and how growth and change will be managed into the future.
17. Local Strategic Planning Statements will address strategic land use planning issues including housing supply and diversity, productivity and jobs, infrastructure needs to meet growth and relevant planning issues from the City's adopted strategies and plans. The Statements will incorporate the preparation of a Housing Strategy with five, 10 and 20 year housing targets.

Better Placed: An integrated design policy for the built environment of New South Wales

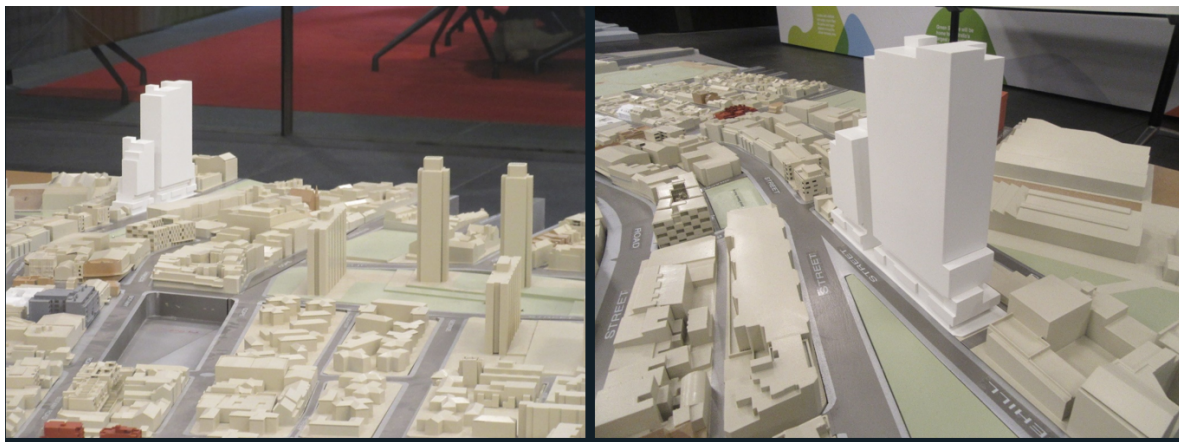
18. The NSW Government Architect has prepared the guideline Better Placed: An integrated design policy for the built environment of New South Wales. This policy provides guidance to support the creation and renewal of great places, to be used by practitioners including state and local governments, businesses and the community.
19. The guideline includes seven objectives to define the key considerations in the design of the built environment. The first objective "Better fit - contextual, local and of its place" emphasises the need to think about the place-based relationship between a site and its setting. It states:

"Good design in the built environment is informed by and derived from its location, context and social setting. It is place-based and relevant to and resonant with local character, heritage and communal aspirations. It also contributes to evolving and future character and setting."

Site-Specific Planning Proposal

The Planning Proposal Request

20. The City of Sydney has received a planning proposal request to amend the planning controls that apply to the site. The planning proposal request has been prepared by Willowtree Planning Pty Ltd on behalf of Redfern Rosehill Pty Ltd, and seeks to amend Sydney Local Environmental Plan 2012 (SLEP2012) to include additional building height and floor space ratio (FSR) on the site. A public benefit offer has also been submitted offering an affordable housing contribution.
21. The planning proposal request seeks to amend the maximum height development standard in SLEP2012 from 18m to 99.6m, and increase the maximum FSR development standard from 2:1 to 10.4:1. No change to the current B4 Mixed Use zoning is proposed.
22. The change in planning controls would facilitate a two tower concept development comprising 312 apartments in two buildings of 30 and 17 storeys, and about 3,500 square metres of commercial floor space. The concept would include a maximum of 246 car parking spaces based on SLEP2012 parking rates. Figure 1 below provides an indication of the scale of the concept.



South eastern elevation

North eastern elevation

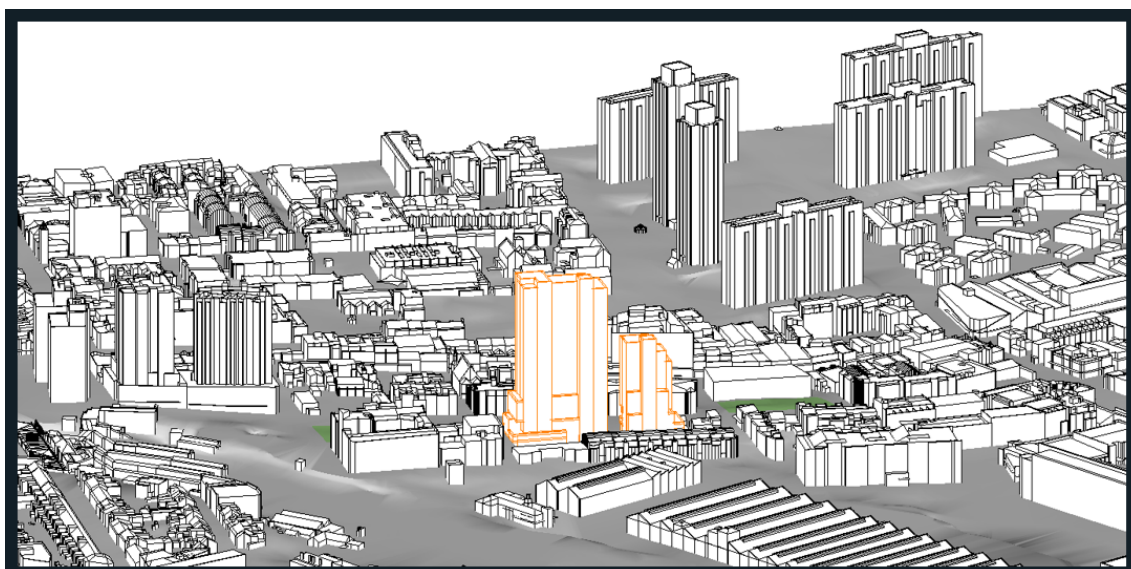
Figure 1: 44-78 Rosehill St, Redfern Concept model

23. Figure 2 below shows the proposed height for the site within the context of the existing 30 storey towers located on the Waterloo Estate to the south, and the former TNT towers to the north. Figure 3 shows the scale of the concept within a wider context.



Western elevation

Figure 2: 44-78 Rosehill St, Height Context



Western elevation

Figure 3: 44-78 Rosehill St, Scale Context

History

24. Following discussions with the landowner during 2017 about various development concepts for the site, the City of Sydney advised the landowner that a planning proposal request would not be considered because the City of Sydney and NSW Department of Planning and Environment would be reviewing land use and infrastructure in the Redfern and Waterloo area. It was anticipated that this would result in changes to planning controls and therefore be inappropriate to commence a review of the planning controls for this site ahead of that work.
25. Following representations by the landowner to the Department, the City was advised in September 2017 by the Deputy Secretary of the Department that the landowner is not precluded from submitting a site specific planning proposal request and that it is to be assessed on its merits. A copy this advice is at Attachment A.

26. The Department also advised the City that the site falls within the investigation area for a place-based planning and infrastructure plan that the Department is currently preparing - the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP). The Department advised that “any individual proposals to be given due consideration and to potentially inform the long term planning and development outcomes for the area”.

Site Attributes and Built Form Context

27. The site has an area of 2,544m² with three street frontages to Rosehill Street to the east, Margaret Street to the north and Cornwallis Lane to the west. To the north, a three to five storey residential flat building is located on the opposite side of Margaret Street, to the east Gibbons Street Reserve is located on the opposite of Rosehill Street, to the south the site directly adjoins a two storey terrace dwelling, and to the west a four storey residential flat building and warehouse are located on the opposite side of Cornwallis Lane. Figures 4a and 4b show the site location and context.



Figure 4a: Site Location and Context

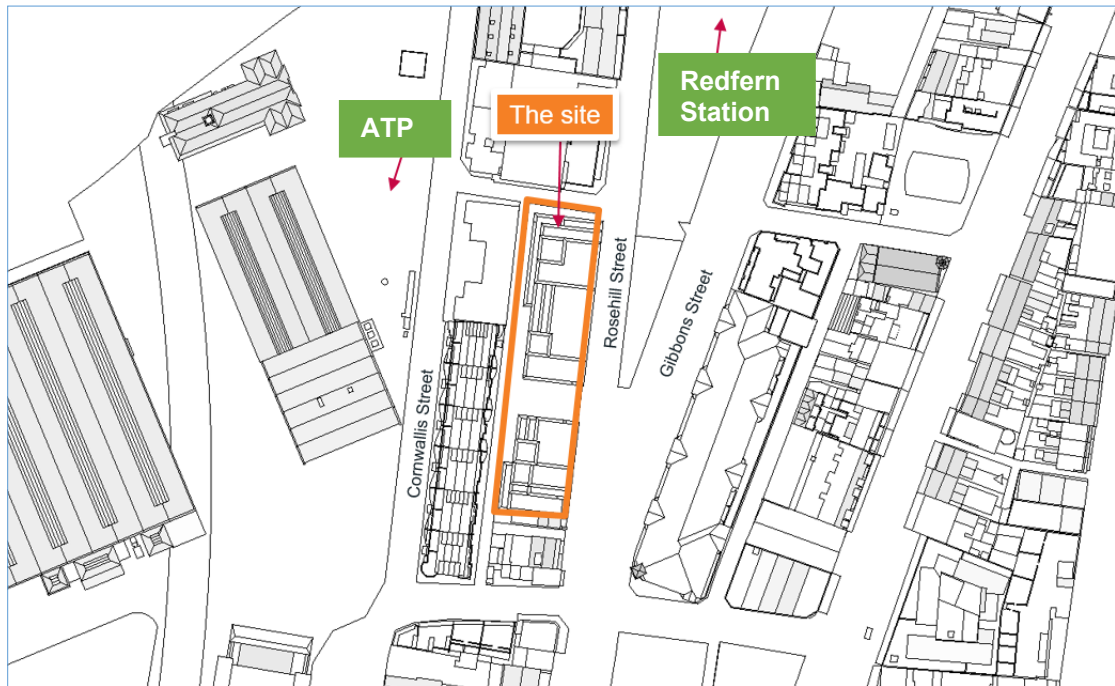


Figure 4b: Site Location and Context

28. The site is occupied by a two storey building comprising commercial tenancies and car parking at ground level and commercial tenancies above. The site context is mixed use in character and existing development ranges in age of construction, style and density, generally one to five storeys within the site's proximity. Figure 5 shows the existing development.



Figure 5: Existing Development

29. Some sites within the locality are subject to the provisions of the SLEP2012, while others are subject to the provisions of State Environmental Planning Policy (State Significant Precincts) 2005 (SEPP SSP).
30. Surrounding sites in the immediate vicinity to which the provisions of SLEP2012 apply are also subject to the 18m maximum height standard. The site at the northern end of Rosehill Street is subject to the 22m maximum height standard. Sites that are further to the south, and in closer proximity to the Alexandria Park Heritage Conservation Area, are subject to the 15m maximum height standard.
31. The SLEP2012 height and FSR controls that apply to the site and its vicinity have largely been informed by recommendations the Waterloo Redfern Urban Design Study prepared for the City of Sydney in 2009 as part of a review of planning controls outside of Central Sydney. The focus of the study was on built form and neighbourhood character, and it took a place based approach to the analysis of existing conditions in the Redfern and Waterloo areas, establishing desired future character. It is noted the study recommended the site's FSR of 2:1 be retained and that the height control be increased from 9 metres to the current control of 18 metres.
32. Sites to which the provision of SEPP SSP apply are subject to maximum height in storeys standards, rather than height in metres.
33. Sites to the north-east are predominantly subject to 14 and 18 storey maximum height standards (approximately 45m and 58m respectively). Nearby sites to the west, within the Australian Technology Park (ATP), are limited to the existing heights (approximately 12m to 15m). To the south west, also within the ATP, sites are subject to 3 and 6 storey maximum height standards (approximately 11m and 21m respectively). Within the central part of the ATP, height standards vary from 9 to 12 storeys (approximately 30m to 39m respectively). Nearby sites to the north-west, in the North Eveleigh Precinct, are subject to 10 and 16 storey height standards (approximately 33m and 52m respectively).
34. Given the surrounding context detailed above, the proposed height of 99.6m is contextually inappropriate. The Waterloo Metro Quarter, which the planning proposal request implies is much closer to the site than reality, is an unapproved proposal that is anomalous, and does not set the desired future context for this site. This is discussed in further detail below and in the table in Attachment B.

Strategic Context

35. The site is within the Harbour CBD area, which the Region Plan identifies as being Australia's financial capital - the "engine room" of Greater Sydney's economy containing over 55 per cent of all jobs in the Eastern City District. The Region Plan also identifies a future limit to office supply of 10 years in the Harbour CBD, and states that to overcome this limit, southward growth towards Redfern needs to be secured.

36. The site is also within the Innovation Corridor, a cluster of high tech industries, start-up hubs and health and education institutions - identified by the Region Plan identifies as crucial for Greater Sydney's innovation economy. The Region Plan states:
- “maintaining a long term supply of office space is critical to maintaining Greater Sydney's global economic role, and should not be compromised by residential development”.
37. The District Plan envisages the Innovation Corridor as an area attractive to digital and cultural industries. The Corridor features a diverse pool of talent and expertise, research facilities, customers and investors. The NSW Government recently announced that it will establish a new technology industry hub in Sydney, at the south end of the city. This would be located within the Innovation Corridor which will be home to 10,000 new jobs by 2036. Emerging, innovative businesses have the potential to rapidly become global companies and in turn bring economic and employment benefits Sydney. In particular technology start ups are critical to an innovative, prosperous and lively city.
38. The Waterloo Redevelopment Precinct covers land owned by the NSW Government, including the Waterloo social housing estate and the land around and above the new Waterloo Metro station. Recently, the state government released three design options for public comment for the Waterloo social housing estate, which is located within the Waterloo Redevelopment Precinct. The options propose up to 7,200 dwellings and towers of up to 40 storeys. The City has expressed significant concern regarding this proposal and the potential impact it will have on the locality.
39. Caution should be applied when considering arguments for increased density in this location due to its proximity to existing and future rail services. There are existing concerns that the Sydney Metro may already be at crush capacity upon services commencing. Furthermore, there are existing capacity issues with heavy rail infrastructure in the locality, with trains stopping at Redfern Station already overcrowded during peak times.

Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP)

40. In addition to the projects listed above, the Department of Planning and Environment is in the process of preparing the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP). The site is located within the LUIIP investigation area.
41. The City has been involved in discussions with the Department regarding the LUIIP. It is noted that in its letter of September 2017, the Department informed the City it will continue to work with council as a priority in guiding future urban renewal along the Central to Eveleigh corridor and consider the LUIIP when reviewing any future planning proposal request.
42. It is understood the LUIIP will provide a comprehensive place-based planning framework and vision for the corridor and have two main components:
- (a) preparation of a detailed master plan, including urban design, heritage, public domain and landscape strategy for the Botany Road corridor to identify potential planning control changes and opportunities for improvements to the public domain. The master plan will make recommendations for potential planning control changes, for consideration as part of the City's LEP review; and

- (b) investigation of the State infrastructure needs for the surrounding area to inform the NSW Government's infrastructure planning, funding arrangements and delivery. A potential Special Infrastructure Contribution (SIC) may apply to uplift within the Botany Road corridor and/or urban renewal sites. It is intended that the SIC will fund newly identified state infrastructure items and will potentially allow for cost recovery of committed infrastructure items.
43. At this stage, the LUIIP is yet to be formally established and details have not been made available. In documentation submitted by the proponent, it is stated the Department advised that the planning proposal request is consistent with the draft LUIIP. This statement cannot be verified as the Department of Planning and Environment has advised that the LUIIP is in the early stages of its development and technical studies are yet to be finalised.

Key Implications

44. The table at Attachment B discusses strategic, built form and land-use issues that characterise the proposal as an inappropriate planning outcome both for the locality and the site. The table is structured to address the "Strategic Merit" and "Site-Specific Merit" criteria in the Department of Planning and Environment's A Guide to Preparing Local Environmental Plans.
45. This report recommends Council note the reasons outlined in the table. It also recommends Council note the proponent will be formally advised of the reasons the planning proposal request is not supported. This advice will focus on the matters outlined in the table and any new matters resulting from NSW State Government strategy that affect the Redfern and Waterloo Area, for example the release of a land use and infrastructure plan. The planning proposal request prepared by Willowtree Planning Pty Ltd is at Attachment D.

Strategic Merit

46. In summary, the planning proposal request does not provide sufficient justification of its strategic merit for the following reasons:
- (a) It does not align with the strategic intent and objectives for the Innovation Corridor and Harbour CBD as defined in the Region Plan and the District Plan.
 - (i) The site is within the identified Innovation Corridor in the District Plan. It is inconsistent with the District Plan's vision for this locality in that it will enable development that is predominantly residential. A key aspiration of the Innovation Corridor is to strengthen Sydney's international competitiveness. To achieve this, the most appropriate land use for the site one that generates employment.

- (ii) The site would better meet the District Plan's objectives for the Innovation Corridor if it contributed to an increase in commercial floor space, rather than a reduction. The planning proposal request, being for a predominantly residential high rise building, does not meet Objective 18 of the Region Plan - "Harbour CBD is stronger and more competitive". Progressing the planning proposal request would result in a net reduction in commercial space on a strategically important site and would represent a missed opportunity for any latent commercial floor space that may result from a more modest FSR increase on the site.
 - (iii) The predominantly residential quality of the proposed development will constrain the ability to provide a wide range of employment uses, entertainment, leisure and night time operations in the area through land use conflicts, making it incompatible with the vision for the Innovation Corridor as described in the District Plan.
- (b) It does not form part of a planned coherent strategic vision for the locality.
 - (i) If progressed, this planning proposal request, which is about one site in isolation, will not contribute to a future vision for the wider area anticipated to be by the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP) and Local Strategic Planning Statement. This is inappropriate considering the location and scale of the site and its potential strategic importance.
 - (ii) Redevelopment of this scale may result in one site receiving a greater share of future uplift than if it was considered within the context of a broader strategic plan; effectively receiving a benefit over other sites within the LUIIP investigation area; and impeding the uplift potential of other sites due to building separation issues.
 - (iii) The City is currently preparing its Local Strategic Planning Statement, as required by the Department of Planning and Environment to be exhibited as soon as July 2019. Without a draft or final version of the statement, it is not possible to assess the consistency of this planning proposal request with the statement.
 - (iv) The District Plan states that "where there is significant investment in transit corridors...corridor investigations can provide a longer term strategic context while the development of precincts within the corridor is sequenced over time", which is the anticipated approach in the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP). In contrast, this site-specific planning proposal request for significantly increased housing pre-empts the appropriate sequencing of development across the corridor, and does not consider the urban renewal of the wider corridor.
- (c) Insufficient consideration has been given to future infrastructure needs or a change of circumstances in the Redfern and Waterloo Area.
 - (i) The planning proposal request takes a narrow approach to infrastructure delivery, relying heavily on existing and planned transport links to justify a large increase in population and development density.

- (ii) There is not yet the understanding of future additional population growth, or an analysis of the future demographic composition of the area. This is necessary to ensure appropriate services and social infrastructure are provided alongside development. Site-specific planning proposal requests for development of this magnitude preclude a long term and strategic understanding of population growth, demographic change, and how to accommodate the future population's needs.
- (iii) The planning proposal request relies on nearby train stations - Redfern Station and the proposed Waterloo Metro - to justify significant increases in density and residential population. This vision for the future of the site is effectively dormitory, with residents travelling out of the area by train or car to access jobs and services, adding further demand on congested systems.
- (iv) Given the site's strategically located position close to Redfern Station and the planned Waterloo Metro, and the highly constrained road network surrounding, development should result in the minimum amount of parking necessary to support critical services and equitable access.
- (v) Affordable housing is a crucial infrastructure need for the Redfern area. The included public benefit offer to dedicate 5-8 per cent of residential floor space to affordable housing is at the bottom end of the Region Plan's target of 5-10 per cent and falls short of the requirements for "planning proposal land" in the exhibited draft Affordable Housing Program.

Site Specific Merit and Built Form Issues

- 47. The City has undertaken a detailed built form and urban design analysis of the planning proposal request. The outcomes of this analysis is detailed under in the "Site Specific Merit" section of the table at Attachment B to this report.
- 48. With regard to this analysis, the height and proportions of the proposed envelope are not supported. While it is envisaged that some increase in height and floor space may be achieved, the current proposal is an inappropriate outcome giving consideration to site geometry and context. A block of this size is better suited to 6 storey medium-rise building of 18 metres in height; that is - consistent with the existing height controls that apply to the site.
- 49. The City's key concerns regarding the proposed built form concept enabled by the planning proposal request are outlined below.

Excessive Height

- 50. The proposed heights of 30 and 18 storeys are not contextually appropriate, given the existing, permissible or likely future developments in the local vicinity. Nearby, the Australian Technology Park includes lower-rise buildings close to this site, and transitions to taller buildings further west. Even at its tallest, ATP will have buildings nine to 12 storeys tall.
- 51. The high rise development near Redfern Station is 14 to 18 storeys. This cluster of buildings forms a centre near the station, and heights should transition down away from the station. The proposed development would be higher than the buildings at Redfern Station, even though the site is downhill.

52. The site is located some distance from both Redfern Station and the proposed Waterloo Metro, where it would be expected that heights would taper down away from the two key activity centres. Instead, the proposal includes heights that are significantly greater than development in the surrounding area, and is not related to an activity centre or sensible cluster of buildings.

Wind Impacts

53. The proposed built form concept features insufficient setbacks, which would magnify wind impacts at street level and create an uncomfortable environment in the proposed laneways, through site link and public realm. These wind impacts, combined with other aspects of the site, make high rise development on the site untenable.
54. The wind report submitted with the proposal indicates that the site is exposed to strong winds, particularly from the south. To achieve acceptable wind speeds for intended uses at street level and above, the planning proposal request relies exclusively on a complex array of special treatments, such as vertical gardens.
55. Special treatments are subject to failure over the life of the building. To effectively mitigate down draft at street level, a podium with an 8m tower setback would be required - which effectively would prohibit a tall tower. Figure 6 below shows the proposed tower form on the left and a tower form with 8 metre street wall setbacks on the right, resulting in a narrow 9 metre wide floor plate. This would be an unacceptable amenity and design outcome.

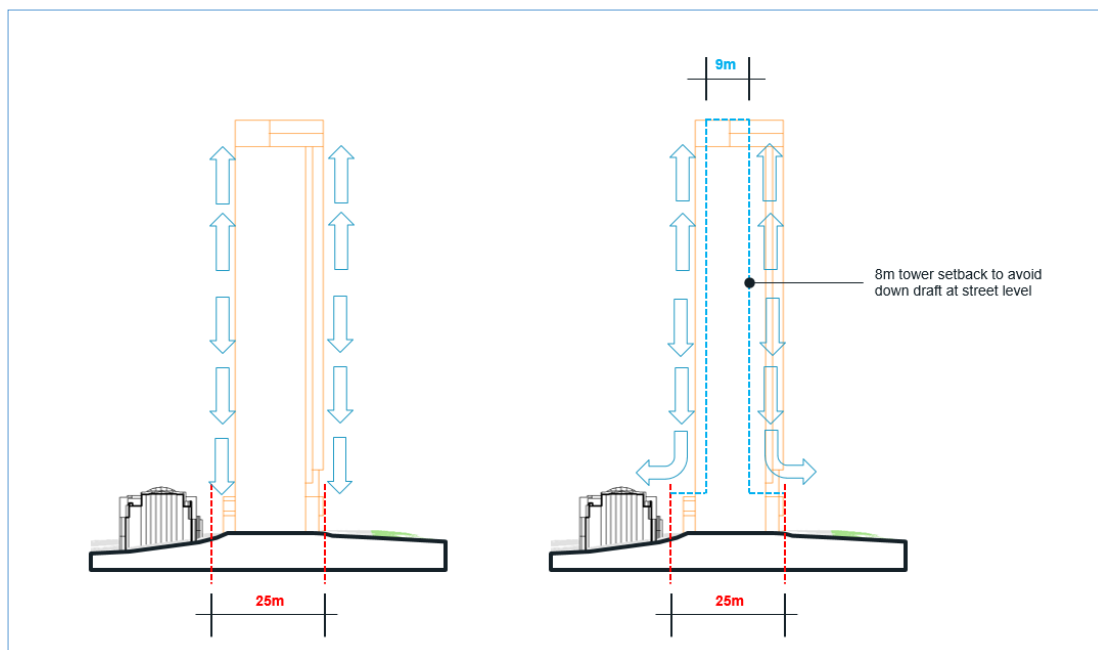


Figure 6: Proposed concept building form (LHS) and building form required to mitigate wind impacts (RHS)

Inappropriate Building Separation/Setbacks

56. Development would not comply with the building separation requirements in Apartment Design Guide. Given the size of the blocks, and the narrow width of Cornwallis Lane, setbacks to provide minimum required building separation are not possible on either side of the lane. Also, to meet Apartment Design Guide requirements, the northern edge of the subject site would either have to be set back 18m, which is not viable given the size of the block, or have a blank/inactive frontage, which would be a poor urban design outcome.

Building Length

57. Sydney Development Control Plan 2012 (SDCP2012) requires a maximum street frontage length of 40 metres for buildings fronting streets of less than 18 metres in width. The taller tower exceeds this length, comprising a 55 metre wide podium and 48 metre wide tower form. To meet SDCP2012 requirements, this tower would need to be broken into two, each with its own architectural character.

Inadequate Public Domain

58. The current public open spaces close to the site do not offer the amenity required to service an additional 312 apartments, and would require substantial improvements. The on-site open space included part of the planning proposal request, in the form of a through site link and plaza, does not make a meaningful contribution to the open space and recreation needs of the future residents. The planning proposal request also includes no funding mechanisms or allocations for public open space beyond the subject site.
59. Existing public open spaces do not offer the amenity required to service the additional apartments. The proposed built form also locates its mandatory communal open space on the roofs of towers, which given the wind environment, would not be comfortable or usable. Due to the size of the block, there is no other suitable room for communal open space.

Deep Soil

60. As no deep soil areas are provided at street level the proposal will need to rely on alternative measures for stormwater management on the site. Given that the proposal includes a 4.5 storey basement carpark, meeting these requirements will pose a significant challenge.

Relationship with terraces on Rosehill Street

61. The site shares a block with five 2 storey terraces, located immediately to the south. The height transition to these terraces would be an exceptionally poor urban design outcome, with significant amenity impacts. The supposed transition 30 storey tower to an 18 storey tower and then 2 storey terraces would not ameliorate the enormous height difference across the single block.

Treatment of Cornwallis Lane

62. The planning proposal request includes the “transformation” of Cornwallis Lane, including widening and on-street activation. However, it is proposed to transform one portion of the laneway while leaving a significant portion of it undeveloped. This will compromise its potential as an active, pedestrianised and lively public space.

Building separation

Cornwallis Lane

63. Given the geometry of the block, and the narrow width of Cornwallis Lane, it is not possible to achieve setbacks on either side of the lane that provide minimum building separation requirements for a building over 8 storeys.
64. On the eastern side of Cornwallis Lane is a low rise apartment building. The planning proposal request incorrectly quotes the Apartment Design Guide in stating that 12m building separation between habitable residential spaces is adequate to satisfy Apartment Design Guide requirements and allow additional development on this site. In fact the Apartment design Guide requirements for separation between two habitable residential spaces for 8+ storey buildings is 24 metres, and 18 metres for habitable facing non-habitable residential spaces.

Margaret Street

65. On the northern side of Margaret Street is a medium rise apartment building. The planning proposal request also includes inadequate separation to this building. To meet Apartment Design Guide requirements, the northern edge of the subject site would either have to be set back 18m, which is not viable given the size of the block, or have a blank/inactive frontage, which would be a very poor urban design outcome.

Traffic and Transport issues

66. The proposal would more than double the traffic on this block. Any potential connection between the development at street level and Gibbons Reserve would be significantly compromised. Development in this area should focus on minimising any traffic generated by new development; and improving active and public transport options and accessibility to encourage a mode-shift away from private vehicle use.
67. Parking rates in the planning proposal request has been proposed in accordance with SLEP2012. Development in accordance with the proposed density is not appropriate for this site given the changes in the area including increased density of nearby development and changes to public transport infrastructure such as the provision of the new Sydney Metro line and potentially the future Metro West line.

Design Advisory Panel Advice

68. The City of Sydney's Design Advisory Panel provided comment to the planning proposal request and reiterated a number of the above concerns. The Panel also advised that:
 - (a) the planning proposal request is premature within the broader strategic planning context and described the proposal as "opportunistic";
 - (b) if there are any changes to planning controls, they should be considered as part of an overall framework such as the Central to Eveleigh Land Use and Infrastructure Implementation Plan;
 - (c) the buildings will appear not as tower forms but as a 30 storey street wall formation; and

- (d) the proposal is not sympathetic to existing local character, and does align with the desired future character for the area.

Inaccuracies in Submitted Planning Proposal Request

69. The submitted planning proposal request documentation includes errors and inaccuracies which makes it difficult to accurately assess the merits of the proposal, and if exhibited would not provide the community, nearby landowners and other stakeholders with a reasonable understanding of impacts.
70. The documentation fails to identify that the proposal exceeds the obstacle limitation surface, an important height threshold for the operation of Sydney Airport. The number of car parking spaces is inconsistently identified. The report speaks of multiplier effects related to employment generation but does not provide a robust economic analysis, relying on superficial assumptions. Statements regarding alignment with the Region and the Eastern City District Plan are questionable or superficial, particularly as the proposal is not part of a plan or strategy to ensure that growth is managed in a co-ordinated way.
71. Some diagrams are clearly inaccurate and understate the relationship the towers have with planned and speculative development in their vicinity. For example, the documentation depicts the Waterloo Metro Quarter as being a single 30 storey building in close proximity to the subject site. Waterloo Metro Quarter is actually located on a different site that is further south and consists of three towers of 29, 25 and 23 storeys. Incorrect heights are also shown at The Block, Redfern, where only one tall tower is currently proposed, yet five are depicted. Also, 20 storey buildings are shown in North Eveleigh, although the concept approval is for only 12 storey buildings.
72. These are significant errors that call into question the accuracy of other illustrations and information made in the submitted documentation. Figure 7 below, extracted from the submitted planning proposal request, shows some of these inaccuracies.

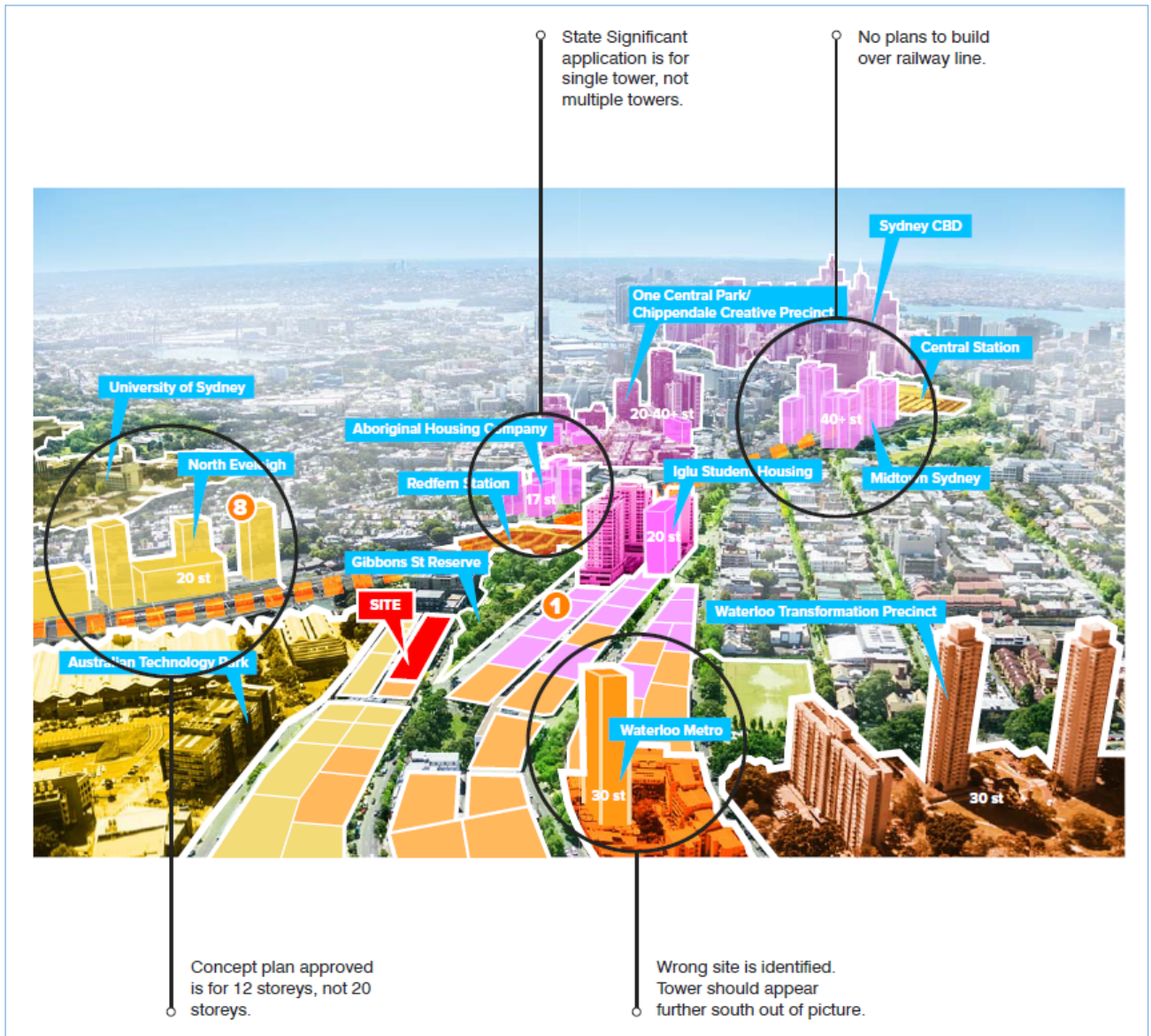


Figure 7: Inaccuracies in Strategic Context Diagram

Public Benefit Offer

73. The public benefit offer made by the proponent is at Attachment C. The offer includes a transfer in perpetuity of 1,512 square metres of gross floor area for the purpose of affordable housing in perpetuity. Taking an average of 80 square metres, this equates to 19 dwellings or six percent of dwellings proposed residential development on the site. The proponent has estimated the value of the public benefit offer as being \$14.8m million. Alternatively, the proponent may seek to pay the City an equivalent cash contribution to be used for affordable housing elsewhere in the Local Government Area. It is noted that the public benefit offer is revised from a previous offer where the affordable housing floor space was offered for a ten year period only.
74. The Planning Proposal: Affordable Housing Review, for a new affordable housing program within the City of Sydney has received Gateway determination and has recently completed exhibition. The planning proposal includes an affordable housing contribution for “planning proposal lands”, which are sites that have achieved FSR uplift due to a change in planning controls.
75. The site would come under this provision and would require a contribution rate of 12 per cent of the new floor area under the City's proposal. A contribution of 3 per cent for residential and one per cent non-residential would also be applied to existing floor space. This is estimated at around 2,662 square metres, or 33 dwellings, based on the planning proposal request.
76. This public benefit offer is welcome and a step in the right direction, however it falls well short of the City's affordable housing aspirations in the of 12 per cent of new floor space, and barely meets the minimum affordable housing contribution target of 5 per cent in the Region Plan.
77. A report on the outcomes of the public exhibition of Planning Proposal: Affordable Housing Review is being considered in this round of Council meetings, with a recommendation that the planning proposal is approved and made as an amendment to SLEP2012.

Strategic Alignment - Sustainable Sydney 2030 Vision

78. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The planning proposal request is inconsistent with the following strategic directions of Sustainable Sydney 2030:
 - (a) Direction 1 - A Globally Competitive and Innovative City - The planning proposal request is contrary to this direction by proposing controls enabling a predominantly residential high rise building resulting and a net reduction of commercial floor space on a site within an area strategically identified for innovative employment growth.
 - (b) Direction 3 - Integrated Transport for a Connected City - Given the site's strategically located position close to Redfern Station and the planned Waterloo Metro Station, parking rates should be lower considering public transport accessibility.
 - (c) Direction 6 - Vibrant Local Communities and Economies - A predominantly residential development on this strategically important site will negate the potential for the site to contribute to this direction.

- (d) Direction 9 - Sustainable Development, Renewal and Design - .The proposed plaza area will not be big enough to be of benefit to the public, will receive limited sun light, and be subject to high wind impacts due to the lack of setbacks in the building above.
- (e) Direction 10 - Implementation through Effective Governance and Partnerships - A planning proposal request prepared in isolation of a broader place-based strategy for the area will undermine this process and compromise opportunities for collaboration.

Relevant Legislation

- 79. Environmental Planning and Assessment Act 1979.
- 80. Greater Sydney Commission Act 2015.
- 81. Environmental Planning and Assessment Regulation 2000.

Critical Dates / Time Frames

- 82. If the City of Sydney does not support the planning proposal request, the proponent may ask for a Rezoning Review from the Independent Planning Commission. The proponent then has 42 days to request the Commission review the planning proposal request.
- 83. The Commission will determine whether or not to recommend that a proposal should be submitted for a Gateway Determination. The key factor in determining whether a proposal should proceed to a Gateway Determination should be its strategic merit.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

Nicholas Knezevic, Senior Specialist Planner

Jarrold Booth, Planner

Attachment A

**Advice from the Department of Planning
and Environment to consider a
planning proposal request for
44-78 Rosehill Street, Redfern**



Monica Barone
General Manager
City of Sydney
GPO Box 1591
SYDNEY NSW 2000



Dear Ms Barone *Monica*

Re: Planning controls for 44-78 Rosehill Street, Redfern

I am writing in response to correspondence from your Council and dated 3 July 2017, which provides advice to Mersonn Pty Ltd regarding a potential planning proposal for 44-78 Rosehill Street, Redfern.

We note that the land is not within the Redfern Waterloo state significant site but is within the investigation area for the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP). The LUIIP process does not preclude Mersonn Pty Ltd from lodging a site specific planning proposal to have the controls which apply to the land reviewed.

The LUIIP work is an important step in establishing a new planning framework for the corridor. Site specific rezoning requests can still be submitted and will be assessed on their merits. This allows for any individual proposals to be given due consideration and to potentially inform the long term planning and development outcomes for the area.

Please be assured that the Department will continue to work closely with Council as a priority in guiding future urban renewal along the corridor and will consider the LUIIP work when reviewing any future planning proposal.

Should you have any further questions in relation to this matter, please contact Wayne Williamson, Team Leader of the Sydney Region East Team on 9274 6585.

Yours sincerely

Marcus Ray
Deputy Secretary
Planning Services

28/09/2017

Attachment B

<p>Assessment of Strategic Merit and Site Specific Merit</p>

Assessment of strategic merit and site specific merit

According to Planning circular PS 16-004 *Independent reviews of plan making decisions*, the key factor in determining whether a planning proposal should proceed to a Gateway determination should be its strategic merit. If a proposal can meet at least one identified strategic test, the proposal must then meet all the site-specific merit tests.

The City has assessed a planning proposal request for 44-78 Rosehill Street, Redfern. It is the view of the City that the planning proposal request does not demonstrate any strategic or site specific merit. Assessment of the request against the tests identified in the planning circular is detailed below.

Strategic merit tests

Strategic test 1

Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.

Greater Sydney Region Plan

Objective 2 – Infrastructure aligns with forecast growth.

In the Region Plan, the Greater Sydney Commission outlines a collaborative model for aligning growth and infrastructure, where new infrastructure increases the development capacity of an area and development provides funding for infrastructure investment. This is the approach being taken in the Central to Eveleigh Land Use and Infrastructure Implementation Plan (LUIIP), in response to the Waterloo Metro station and other public investment in the local area. The LUIIP will assess the need and funding mechanisms for additional infrastructure to support a higher local population.

The progression of this planning proposal request would pre-empt the sequenced process of the LUIIP. The request makes use of public knowledge of Waterloo Metro station being delivered to propose significantly increasing density on a single site. The planning proposal request does not take a place-based approach to managing the additional development capacity provided by the Waterloo Metro station across the Redfern-Waterloo area, and it does not consider the additional infrastructure needs to support an increased population besides transport.

Objective 4 - Infrastructure use is optimised.

To support community need for infrastructure and be efficient with new infrastructure investment, the Region Plan advocates evaluating and managing demand on existing infrastructure. This calls on using demand management techniques, making choices about land use and sharing road space, and encouraging behaviour change.

This planning proposal request, if accepted, would result in a substantial increase in local residential population, a net reduction in commercial space, and up to 243 parking spaces.

The predominantly residential high rise building proposed would contribute to the Redfern-Waterloo area being a dormitory suburb, where residents travel out of the area to access jobs and services using Redfern Station, the Sydney Metro or their cars. This would put additional strain on

already congested systems. A genuinely mixed-use precinct, with housing, jobs and services co-located in well connected centres, reduces reliance on roads and transport networks and makes more efficient use of infrastructure.

There are limitations with justifying additional density due to access to Redfern Station, as it is currently the sixth busiest station in the Sydney Trains network and remains one of the least accessible with lifts to only 2 platforms.

Objective 10 – Greater housing supply

The Region Plan identifies the need for greater housing supply in the right locations, and increased housing diversity and choice. The planning proposal request includes about 320 new apartments, delivered close to Redfern Station and the proposed new Waterloo Metro. This would suggest alignment with the Region Plan’s objective for increased housing supply close to existing and proposed infrastructure.

However, the Region Plan also outlines how additional housing should be delivered with proposed new infrastructure. The Region Plan says that “where there is significant investment in transit corridors [...] corridor investigations can provide a longer term strategic context while the development of precincts within the corridor is sequenced over time”, which is the approach of the Central to Eveleigh LUIP.

In contrast, this site-specific planning proposal request pre-empts the appropriate sequencing of development across the corridor, and does not have consideration for the urban renewal of the wider corridor in response to the infrastructure investment. The location of additional housing in this area should be appropriately considered through the LUIPP and detailed strategic planning process, rather than significant amounts of potential future housing being allocated to one site prior to the finalisation strategic considerations.

Objective 11 – Housing is more diverse and affordable

The Region Plan sets a framework for delivering affordable rental housing out of an uplift in land value created as a result of a rezoning decision. The GSC suggests a proportion in the general range of 5-10 per cent of new residential floor space to be dedicated as affordable rental housing, but notes that this will be tailored to each nominated local area according to a range of criteria.

The City of Sydney recently exhibited a draft Affordable Housing Program. The Program includes provisions for “planning proposal lands”, where 50% of the value uplift resulting from a rezoning decision directed towards an affordable rental housing purpose. This has been determined according to the Region Plan’s parameters for affordable housing targets, has been tested for viability, and is specific to the City of Sydney local government area.

The planning proposal request includes a five to eight per cent dedication for affordable rental housing, which is on the bottom end of the Region Plan’s range and far less than the amount that would be required under the draft Affordable Housing Program.

Objective 18 – Harbour CBD is stronger and more competitive

The site is within the Harbour CBD area, which the Region Plan identifies as being Australia’s financial capital and host to unique assets that support its global significance. The site is also within the Innovation Corridor, a cluster of high tech industries, start up hubs and health and education institutions that the Region Plan identifies as crucial for Greater Sydney’s innovation economy. The Region Plan also identifies a future limit to office supply of 10 years in the Harbour CBD, and to overcome this limit southward growth towards Redfern needs to be secured. The Region Plan says

that “maintaining a long term supply of office space is critical to maintaining Greater Sydney’s global economic role, and should not be compromised by residential development”.

The planning proposal request, being for a predominantly residential high rise building, does not meet this objective of the Region Plan. It will result in a net reduction in lettable commercial space on a strategically important site, and may compromise future commercial development and night life activity on nearby sites through land use conflicts. This threatens the ability for this strategically important location to contribute to the Innovation Corridor and Harbour CBD for the long term.

Objective 22 – Investment and business activity in centres

The site is located within the Harbour CBD, a metropolitan centre at the top of the centres hierarchy identified by the Region Plan as a focus for delivering jobs and investment.

The Region Plan advocates a balanced approach to providing mixed use and residential development close to centres. Centres benefit from a high local population, and there are benefits to locating housing close to the jobs, services and transport that centres offer. However, residential development can also compete with commercial activity for well located land, and threaten the long term viability of centres.

The site is located in a strategically important location, close to Redfern Station, the planned Waterloo Metro station, and the Australian Technology Park. The Central to Eveleigh LUIIP will consider the balance of supporting investment and business activity in centres and providing housing near centres, by taking a comprehensive assessment of the wider area. This planning proposal request, which is concerned with one site in isolation, cannot consider this balance and the site’s most appropriate contribution to a future vision for the wider area.

Eastern City District Plan

Planning Priority E1 – Planning for a city supported by infrastructure.

Planning Priority E2 – Working through collaboration.

The delivery of the Sydney Metro with a station at Waterloo may be a catalyst for increased development and densities in the Redfern-Waterloo area, including this site. This process of change is to be managed through the Central to Eveleigh LUIIP currently being developed by the Department of Planning and Environment with input from the City of Sydney. The LUIIP will identify what uplifts in density and additional development may be appropriate given the new Metro station, as well as additional infrastructure, improvements to Redfern Station, open space and community facilities required to serve the increased population.

A site specific planning proposal for one block within this area before an overarching plan is finalised would pre-empt this collaborative process and misalign the delivery of infrastructure and additional development capacity.

Cumulative increases in demand for public resources is difficult to assess for individual site-specific planning proposals. The need for additional open space, community facilities and other public resources will be identified as part of the LUIIP, taking into account total population growth in the wider area. This process is in line with the District Plan’s collaboration planning priority, where the provision of new public resources is connected with development and population growth, to ensure adequate provision and efficient utilisation.

Planning Priority E3 – Providing services and social infrastructure to meet people’s changing needs.

The services and additional social infrastructure necessary to serve a growing population in the Redfern-Waterloo area needs to be assessed holistically. At the present time, there is not yet the understanding of future additional population growth, or an analysis of the future demographic make up of the area, necessary to ensuring appropriate services and social infrastructure are provided alongside development. Site-specific planning proposal requests such as this preclude a long term and strategic understanding of population growth, demographic change, and catering to a future population’s needs. If accepted, the planning proposal request would make future delivery of infrastructure to meet those needs difficult, with the financial burden pushed onto other sites or the community.

Planning Priority E5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.

This is addressed earlier under Objective 10 of the Region Plan – “Greater housing supply”.

Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District’s heritage.

Australian Technology Park and Redfern are in transition to a metropolitan centre, offering jobs, retail, entertainment and night life. Increasing nearby housing is important to supporting centres and meeting the 30-minute goal, however care must be taken to ensure that housing does not supplant the non-residential components necessary for a centre to flourish. Housing supply within the Redfern-Waterloo area needs to be strategically located to be close to centres, but not in the place of them.

Planning Priority E7 – Growing a stronger and more competitive Harbour CBD

Planning Priority E8 – Growing and investing in health and education precincts and the Innovation Corridor

The site is located within the Innovation Corridor, a key component in the Greater Sydney Commission’s strategy for growing a strong and globally competitive Harbour CBD. The Innovation Corridor is identified by the District Plan as an area attractive to digital and cultural industries. The Corridor features a diverse pool of talent and expertise, research facilities, customers and investors. According to the District Plan, the availability of suitable workspaces in the Innovation Corridor has seen a reduction, and commercial rents have seen a substantial increase, due to a recent expansion of digital and creative industries.

To align with the objectives of the District Plan for the Innovation Corridor, development on sites such as this one should be focused on delivering new supply of flexible, adaptable commercial floor space, as well as fostering a vibrant creative and entertainment environment including night time uses. New housing should be diverse in character, and offer multipurpose flexibility to enable home-based businesses and start-ups.

Instead, the planning proposal request is primarily residential, featuring conventional high rise apartments above some commercial floor space. The planning proposal request represents a net reduction in commercial floor space compared to the current development. The predominantly residential makeup of the proposed development will hamper the ability to provide a wide range of employment uses, entertainment, leisure and night time operations in the area through land use conflicts, making it incompatible with the vision for the Innovation Corridor as described in the District Plan.

Planning Priority E10 – Delivering integrated land use and transport planning and a 30-minute city

The District Plan sets a long term aspirational goal for a 30-minute city, so that people can access jobs and services within 30 minutes. A key aspect of this is to encourage the growth of strategic and local centres that provide transport, jobs, education, health and other facilities within a short distance of housing, reducing the need for people to travel long distances.

The planning proposal request relies on nearby train stations (Redfern Station and the proposed Waterloo Metro) to justify significant increases in density and residential population on the site. This vision for the future of the site is effectively dormitory, with residents travelling out of the area by train to access jobs and services. This is counter to the vision of the District Plan, which would have a well-connected site within the Innovation Corridor such as this be home to the jobs and services that residents should have easy access to.

Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently

The District Plan identifies urban renewal in Redfern – Waterloo as an opportunity to upgrade ageing infrastructure and create a low-emissions, high efficiency precinct.

As this is a planning proposal request for a single site, it cannot contribute to a precinct-wide approach to reducing emissions. Precinct approaches have the benefit of scale which cannot be achieved on a single site. For example, recycled water networks and precinct scale renewable energy production require a wider urban renewal area to be considered holistically.

If this single site planning proposal request were accepted, any future development on the site will be limited in how much energy efficiency and on-site renewable energy production it can realistically achieve. Including precinct-wide initiatives through the LUIP will be a more effective way to deliver on the District Plan's vision for a low emissions and high efficiency precinct in Redfern – Waterloo.

Strategic test 2

Consistent with a relevant local strategy that has been endorsed by the Department.

The Department of Planning and Environment has set a timeframe of mid 2019 for local councils to prepare local strategic planning statements. This statement will describe a 20-year vision for land use planning in the local area, the special characteristics which contribute to local identity, shared community values to be maintained and enhanced, and how growth and change will be managed into the future. The statement will also include housing and productivity targets, and identify growth areas and infrastructure needs, to act as the strategic link between the Eastern City District Plan, Sustainable Sydney 2030 and the City's planning controls.

The City of Sydney is currently preparing its local strategic planning statement, for endorsement by the Department. Without a draft or final version, it is not possible to assess the consistency of this planning proposal request with the local strategic planning statement.

Sustainable Sydney 2030

Sustainable Sydney 2030 is the City of Sydney's endorsed Community Strategic Plan. Relevant directions and actions include:

Strategic direction 1

“A globally competitive and innovative city” in Sustainable Sydney 2030 includes objectives to secure space and infrastructure to support sustainable economic growth, and for the planning system to support diverse economic activity in the city. It also emphasises how creativity and innovation are fostered through collaboration between businesses, academia, government, the creative sector and the wider community. Redfern and Australian Technology Park typifies this cluster of activities, and makes up an important current and future part of the Innovation Corridor identified by the District Plan.

The planning proposal request, by proposing a predominantly residential high rise building, and a net reduction in commercial floor space, within this area would be contrary to the directions in Sustainable Sydney 2030.

Strategic direction 3

“Integrated transport for a connected city” sets a vision for public transport, walking and cycling being the first choice transport modes in the city.

Sustainable Sydney 2030 emphasises aligning transport infrastructure with growth and distribution of population and employment centres. Sites with good connections to villages and the City centre are strategically important to realising this vision of an integrated and connected city.

The site is well connected to the City centre and villages, being within close walking distance of Redfern Station and Waterloo Metro. Its location between Redfern Village and ATP also makes it an accessible and well served employment centre within the Innovation Corridor. If it were to be developed as a predominantly residential high rise building as per the planning proposal request, this site’s ability to contribute would be forgone, and may reduce the suitability of surrounding sites for employment uses due to land use conflicts.

Sustainable Sydney 2030 emphasises managing demand for parking spaces constrained road capacity, in order to preference critical services.

The planning proposal request allows for 243 car spaces, using the maximum rates under Sydney LEP 2012. Given the site’s strategically located position close to Redfern Station and the planned Waterloo Metro, and the extremely constrained road network surrounding the site, a development on the site should minimise the amount of parking necessary to support critical services and equitable access.

Strategic direction 8

“Housing for a diverse community” sets out the City’s housing priorities, including high quality, high amenity and well serviced housing, and affordable rental housing delivered through planning and policy levers.

Sustainable Sydney 2030 advocates for balancing land supply across residential development, employment uses, social infrastructure and other uses, to ensure that housing in the local area can be well serviced by infrastructure and jobs. Development on this site for a predominantly residential building as per the planning proposal request would involve replacing space for employment and services with housing, and relying on residents to travel out of the area to access these needs.

Acting on the strategic objective to enact all planning and policy levers to increase the supply of affordable housing, the City has recently exhibited a draft Affordable Housing Program. The

inconsistency between the affordable housing offer in this planning proposal request and the draft Program is discussed earlier in this table under Objective 11 of the Region Plan – “Housing is more diverse and affordable”.

Strategic direction 9

“Sustainable development, renewal and design” outlines the improvements that should result from urban renewal development. This encompasses a better built form with design excellence and high environmental performance, great public spaces and parks, and resilience to respond to future needs.

Sustainable Sydney 2030 emphasises the need to provide space for economic growth and innovation, and that the businesses, services and activities the city needs to function efficiently are well located.

This site is located within the Innovation Corridor, and has been identified by the City and the Greater Sydney Commission a technology sector cluster and centre of innovation. The site is very well connected to other employment and innovation districts. It is within walking and cycling distance of Australian Technology Park and the planned Eveleigh technology precinct. Redfern Station connects the site to Sydney CBD, Parramatta and the rest of Greater Sydney. The planned Waterloo Metro station will connect the site via the Sydney Metro to Barangaroo and Macquarie Park.

If the planning proposal request is accepted, this strategically located site would be developed as a predominantly residential high rise building, strata subdivided and unable to contribute to the area’s future vision as a centre of innovation and knowledge economy jobs. The economic advantages of its excellent location and connectivity to the rest of Sydney will be foregone, and may hamper the ability for nearby sites to develop for employment uses through land use conflicts.

Sustainable Sydney 2030 envisages that development and urban renewal will result in great public buildings, streets, squares and parks for everyone to be use and enjoy, and create an urban environment that encourages people to meet, talk, be active, enjoy the city and participate in its social, civic and cultural life.

The planning proposal request includes a through site link, and laneway widening on Cornwallis Lane and Margaret Street. The resulting area will not be big enough to be of benefit to the public, will receive limited sun light, and be subject to high wind impacts due to the lack of setbacks in the building above. Together this will create a narrow, dark, windy and unpleasant environment, not the “urban environment that encourages people to meet, talk, be active, enjoy the city and participate in its social civic and cultural life” that Sustainable Sydney 2030 envisages.

The planning proposal request does not include any offer to upgrade the nearby parks or reserves to the standard required to serve the proposed additional 314 apartments.

Strategic test 3

Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

The delivery of the Sydney Metro City & Southwest will involve a new station within 450m of this site in 2024. With the Sydenham to Bankstown extension, capacity on the City Circle will also be freed up, increasing capacity at Redfern Station.

These changes may be a catalyst for increased population growth and higher density development in the Redfern-Waterloo area, particularly between the two stations along the Botany Road corridor. The additional capacity for population growth, where along the corridor growth should be delivered, the most suitable mix of land uses, and any additional requirements for non-transport related infrastructure to support growth are all being assessed as part of the Central to Eveleigh LUIIP, currently being undertaken by the Department of Planning and Environment.

This site-specific planning proposal request for an individual block within the corridor, if accepted, would pre-empt the LUIIP and ignore the wider strategic context besides transport infrastructure investment. This would be an inequitable outcome, with this site absorbing a fixed amount of additional development potential for the area before a proper strategic process can fairly allocate and distribute it.

Site specific merit tests

Site specific test 1

The natural environment (including known significant environmental values, resources or hazards).

A wind report undertaken for the site shows that it is exposed to strong winds, particularly from the south. To effectively mitigate down draft at street level, a podium with an 8m tower setback would be required, which given the dimensions of the site would prohibit a tall tower.

The proposed built form in the planning proposal request features insufficient setbacks, which would magnify wind impacts at street level and create an uncomfortable environment in the proposed laneways, through site link and public realm. Given the size of the block, appropriate setbacks to mitigate wind impacts would not leave sufficient room for the building. The planning proposal request relies exclusively on special treatments, such as vertical gardens, to mitigate wind impacts, but they are subject to failure over the life of the building.

The proposed built form also locates its mandatory communal open space on the roofs of towers, which given the wind environment, would not be comfortable or usable. With the size of the block, there is no other suitable room for communal open space.

As no deep soil areas are provided at street level the proposal will need to rely on alternative measures for stormwater management on the site. Given that the proposal includes a 4.5 storey basement carpark, meeting these requirements will pose a significant challenge.

Site specific test 2

The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal.

Heights

The proposed heights of 30 and 18 storeys are not contextually appropriate, given the existing, permissible or likely future developments in the local vicinity.

Nearby Australian Technology Park includes lower-rise buildings close to this site, and transitions to taller buildings further west. Even at its tallest, ATP will have buildings 9 to 12 storeys tall.

The high rise development near Redfern Station is 14 to 18 storeys. This cluster of buildings forms a centre near the station, and heights should transition down away from the station. The RL of the proposed development would be higher than the buildings at Redfern Station, even though the site is downhill.

A proposal for over station development at Waterloo Metro Quarter includes a 30 storey tower and smaller towers transitioning away from the area.

The site is located some distance from both Redfern Station and the proposed Waterloo Metro, where it would be expected that heights would taper down away from the two key activity centres. Instead, the proposal includes heights that are significantly greater than anything in the surrounding area, and is not related to an activity centre or sensible cluster of tall buildings.

Other factors, such as the size of the block and the required separation to neighbouring developments (discussed below) also contribute to this site being more suited to a medium-rise development.

[Terraces on Rosehill Street](#)

The site shares a block with five terraces, located immediately to the south. If the site were to be developed according to the planning proposal request, the height transition to these terraces would be an exceptionally poor urban design outcome, with significant amenity impacts. The transition (or “stepping down”) of a 30 storey tower to a 19 storey tower and then to the existing 2 storey terraces would not effectively ameliorate the enormous height difference across the single block.

[Cornwallis Lane](#)

The planning proposal request includes the “transformation” of Cornwallis Lane, including widening and on-street activation with commercial tenancies on the ground floor. The lane continues south of the site along the 5 terraces, and is built up on both sides. The planning proposal request does not encompass this section of the laneway, so it will remain in its current state indefinitely. Transforming one portion of the laneway outside the development while leaving a significant portion of it undeveloped and narrow significantly reduces its potential as an active, pedestrianised and lively public space.

[Building separation – Cornwallis Lane](#)

On the eastern side of Cornwallis Lane is a low rise apartment building. The planning proposal request incorrectly quotes the Apartment Design Guide in stating that 12m building separation between habitable residential spaces is adequate to satisfy ADG requirements and allow additional development on this site. The ADG requirements for separation between two habitable residential spaces for 8+ storey buildings is 24m, and 18m for habitable facing non-habitable residential spaces. Given the size of the blocks, and the narrow width of the laneway, setbacks to provide minimum required building separation for buildings over 8 storeys are not possible on either side of Cornwallis Lane.

[Building separation – Margaret Street](#)

On the northern side of Margaret Street is a medium rise apartment building. The planning proposal request also includes inadequate separation to this building. To meet ADG requirements, the northern edge of the subject site would either have to be set back 18m, which is not viable given the

size of the block, or have a blank/inactive frontage, which would result in a poor urban design outcome.

Site specific test 3

The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

The planning proposal request takes a narrow approach to infrastructure delivery, relying heavily on existing and the planned Waterloo Metro station to justify a large increase in population and development density.

While transport is an important infrastructure consideration, it is a very narrow approach to ensuring that the needs of the future population are met. The Central to Eveleigh LUIIP, in planning for any uplift in density and development as a result of the future Waterloo Metro station, will consider the full scope of infrastructure required to serve a future population. This planning proposal request, if accepted, would pre-empt this process, and may reduce opportunities to deliver infrastructure needs identified in the LUIIP on this site.

The LUIIP may include a Special Infrastructure Contribution (SIC) for development within the Central to Eveleigh corridor. This planning proposal request, if accepted, would not be subject to a SIC because it pre-empts the LUIIP. The landowner therefore avoids making a contribution to the infrastructure required to serve the future population of the area, but will benefit from its delivery.

A Community Needs Assessment submitted by the proponent states that the future population would be adequately served by existing and planned childcare, health and education facilities in the surrounding area.

The City of Sydney has identified an inadequate supply of child care spaces in the area. Health and education facilities are the responsibility of the NSW Government, and the need for additional infrastructure (as well as funding mechanisms to delivery it) will be considered as part of the LUIIP.

The assessment also states that the City of Sydney has identified need for affordable housing, which will be improved through the public benefit offer to include 5% affordable housing on-site.

Affordable housing is a crucial infrastructure need for the Redfern area. The included public benefit offer to dedicate 5% of residential floor space to on-site affordable housing is at the bottom end of the Greater Sydney Region Plan's range of 5-10% affordable housing and falls well short of the requirements for "planning proposal land" (or land seeing a value uplift from a change to planning controls) in the exhibited draft Affordable Housing program.

The assessment identifies the need for improved open space, but the proposal does not make a meaningful contribution. The parks and reserves nearby will require significant improvements to support the new residents, and no funding mechanisms for this are included in the planning proposal request.

Attachment C

**Public Benefit Offer from Redfern Rosehill
Pty Ltd**

9 August 2018

Mills Oakley
ABN: 51 493 069 734

The General Manager
City of Sydney Council
GPO Box 1591
Sydney NSW 2001

Our ref: AJWS/SEVS /3317419

All correspondence to:
PO Box H316
AUSTRALIA SQUARE NSW 1215

By Email: : council@cityofsydney.nsw.gov.au

Contact
Sophie Volk +61 2 8035 7894
Email: svolk@millsOakley.com.au
Fax: +61 2 9247 1315

Partner
Anthony Whealy +61 2 8035 7848
Email: awhealy@millsOakley.com.au

Dear General Manager,

**Offer to enter into a Voluntary Planning Agreement –s7.4
44-78 Rosehill Street, Redfern**

We refer to the matter above and your recent correspondence with our client.

We are instructed that our client has lodged a site specific planning proposal (**Planning Proposal**) seeking to:

- provide a maximum permissible floor space ratio of 10.28:1 (**FSR**) ; and
- increase the maximum permissible height to 30 storeys.

Upon approval of the Planning Proposal, the Developer proposes to lodge a development application for a 30 storey mixed use (residential, commercial and retail) building comprising 312 units (**Development Application**).

As a public benefit associated with the development of the site, we are instructed to make an offer on behalf of our client to enter into a Voluntary Planning Agreement (**VPA**) to provide affordable housing.

In this regard, we are instructed by our client to make the following offer to enter into a VPA with Council on the terms set out below.

Offer to enter into a Planning Agreement

We are instructed to formally retract the offer made on 4 May 2018 and replace that offer with the following:

Redfern Rosehill Pty Ltd formally offers to enter into a Voluntary Planning Agreement with Council pursuant to section 7.4 of the *Environmental Planning and Assessment Act 1979* (NSW) (**Act**), subject to the terms set out in this letter.

1. Redfern Rosehill will transfer in perpetuity 1134m² of net saleable area (which has been derived from 1512m² of Gross Floor Area) for the purpose of Affordable Housing, at an estimated value of \$14.8m.
2. The value has been calculated by applying the formula outlined in the currently exhibited Planning Proposal "City of Sydney Affordable Housing Review".
3. Redfern Rosehill might as an alternative, and subject to future discussions, instead seek to pay Council an equivalent cash contribution to be used for affordable housing elsewhere in the Local Government Area.

NOTICE

The information contained in this email/facsimile is confidential and intended only for the use of the addressee and it may also be privileged. If you are not the intended recipient, any use, disclosure or copying is prohibited. If you have received this email/facsimile in error, please telephone the sender and return it by mail to the sender.

4. If the Council grants development consent for the Development Application, no further affordable housing levies or contributions will be imposed by Council other than contributions under section 7.11 (previously s94) .
5. The Planning Agreement will be lodged and registered on the title of the land under section 7.6 of the Act as soon as practicable after its execution.
6. In the event that Council requires a bank guarantee or other security (**Security**), the Security will be provided upon Council granting development consent for the Development Application. That is not to say that the applicant agrees at this time that a bank guarantee is necessary or an appropriate form of security, but on any version of events the timing of any further security (beyond registration of the VPA) will be after the grant of development consent when funding is available.
7. The Planning Agreement **would not** exclude the application of sections 7.4, 7.11, 7.12 or section 7.24 of the Act.
8. The Planning Agreement will contain mechanisms for the resolution of disputes and the enforcement of the agreement by the parties.
9. This offer is made subject to the Planning Proposal being approved on terms acceptable to Redfern Rosehill, including achieving an FSR of 10.28:1 and that Council will progress the Planning Proposal to Gateway and finalise the LEP and DCP in an expedited manner. If this FSR is not achieved, or the Planning Proposal is not otherwise approved on terms satisfactory to our client, this offer may be withdrawn by notice in writing to Council, in which case, Redfern Rosehill may elect to submit a revised offer.

We look forward to receiving your earliest response.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony Whealy'.

Anthony Whealy
Partner
Accredited Specialist Local Government & Planning

NOTICE

The information contained in this email/facsimile is confidential and intended only for the use of the addressee and it may also be privileged. If you are not the intended recipient, any use, disclosure or copying is prohibited. If you have received this email/facsimile in error, please telephone the sender and return it by mail to the sender.

Attachment D

**Planning Proposal Request prepared by
Willowtree Planning Pty Ltd on behalf of
Redfern Rosehill Pty Ltd**



Planning Proposal

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower

44-78 Rosehill Street, Redfern

Lot 1 DP 792628

Prepared by Willowtree Planning Pty Ltd on behalf of Redfern Rosehill Pty Ltd

May 2018

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Document Control Table

Document Reference:	WTJ17-409_Planning Proposal		
Date	Version	Author	Checked By
19 April 2018	DRAFT 1	R. Streeter	C. Wilson
3 May 2018	DRAFT 2	R. Streeter	C. Wilson
9 May 2018	FINAL	R. Streeter	C. Wilson

© 2018 Willowtree Planning Pty Ltd

This document contains material protected under copyright and intellectual property laws and is to be used only by and for the intended client. Any unauthorised reprint or use of this material beyond the purpose for which it was created is prohibited. No part of this work may be copied, reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system without express written permission from Willowtree Planning (NSW) Pty Ltd.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

TABLE OF CONTENTS

EXECUTIVE SUMMARY	5
PART A LAND TO WHICH THIS PLANNING PROPOSAL APPLIES	9
1.1 SITE DESCRIPTION AND EXISTING DEVELOPMENT	9
1.2 LOCAL AND REGIONAL CONTEXT	11
1.3 PLANNING CONTEXT	16
1.3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979	16
1.3.2 SYDNEY LOCAL ENVIRONMENTAL PLAN 2012	17
1.3.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT BUILDINGS	22
1.3.4 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS	22
1.3.5 SYDNEY DEVELOPMENT CONTROL PLAN 2012	22
1.4 PRE LODGEMENT MEETING CITY OF SYDNEY COUNCIL	23
1.5 PRE LODGEMENT DISCUSSIONS DEPARTMENT OF PLANNING AND ENVIRONMENT	24
PART B OBJECTIVES OR INTENDED OUTCOMES	25
2.1 OBJECTIVES AND INTENDED OUTCOMES	25
PART C EXPLANATION OF PROVISIONS	26
3.1 OVERVIEW	26
3.2 AMENDMENT TO SYDNEY LEP 2012 HEIGHT OF BUILDINGS	26
3.3 AMENDMENT TO SYDNEY LEP 2012 FLOOR SPACE RATIO	27
3.4 CONCEPTUAL BUILT FORM	29
3.5 PUBLIC DOMAIN AND LANDSCAPE	33
3.6 DESIGN PARAMETERS AND ADG COMPLIANCE	37
3.7 ADJACENT ENVELOPE	41
3.8 VOLUNTARY PLANNING AGREEMENT	42
PART D JUSTIFICATION FOR PROPOSED LEP AMEDMENT	43
4.1 NEED FOR THE PLANNING PROPOSAL	43
4.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?	43
4.1.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?	55
4.1.3 IS THERE A NET COMMUNITY BENEFIT?	55
4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK	59
4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?	59
4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OF OTHER LOCAL STRATEGIC PLAN?	59
4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?	61
4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?	61
4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT	65
4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?	65

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.3.2	ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?	65
4.3.3	HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?	72
4.4	STATE AND COMMONWEALTH INTERESTS.....	76
4.4.1	IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?	76
4.4.2	WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?	76
PART E	COMMUNITY CONSULTATION	78
PART F	CONCLUSION	79

TABLES

<i>Table 1. SLEP2012 Maximum Car Parking Rates.....</i>	<i>21</i>
<i>Table 2. Summary of Matters Identified by City of Sydney Council</i>	<i>23</i>
<i>Table 3. Concept Design Particulars (Roberts Day 2018)</i>	<i>30</i>
<i>Table 4. Concept Residential Apartment Mix (Roberts Day 2018)</i>	<i>30</i>
<i>Table 5. Net Community Benefit</i>	<i>55</i>
<i>Table 6. State Environmental Planning Policies.....</i>	<i>61</i>
<i>Table 7. Section 9.1 Ministerial Directions.....</i>	<i>62</i>
<i>Table 8. Criteria for Internal Noise Levels (Acoustic Logic 2018)</i>	<i>67</i>
<i>Table 9. Vibration Dose Values (Acoustic Logic 2018).....</i>	<i>68</i>
<i>Table 10. Traffic Generation</i>	<i>69</i>

FIGURES

<i>Figure 1. Existing Site Development (SIX Maps 2017)</i>	<i>10</i>
<i>Figure 2. Cadastral Map (SIX Maps 2017).....</i>	<i>10</i>
<i>Figure 3. Context Map (SIX Maps 2017)</i>	<i>12</i>
<i>Figure 4. Strategic Context Map (Roberts Day 2018)</i>	<i>13</i>
<i>Figure 5. Strategic Context Map (Roberts Day 2018)</i>	<i>13</i>
<i>Figure 6. Public Transport Map (Roberts Day 2018)</i>	<i>14</i>
<i>Figure 7. Cycling Routes (Roberts Day 2018).....</i>	<i>14</i>
<i>Figure 8. Existing and Planned Social Infrastructure (Urbis 2018).....</i>	<i>15</i>
<i>Figure 9. Zoning Map (NSW Legislation 2018).....</i>	<i>18</i>
<i>Figure 10. Height of Buildings Map (NSW Legislation 2018)</i>	<i>19</i>
<i>Figure 11. Floor Space Ratio Map (NSW Legislation 2018)</i>	<i>20</i>
<i>Figure 12. Proposed Height of Buildings Map (HOB_010) (NSW Legislation 2018)</i>	<i>27</i>
<i>Figure 13. Proposed Floor Space Ratio Map (FSR_010) (NSW Legislation 2018)</i>	<i>29</i>
<i>Figure 14. Concept Plan (Roberts Day 2018).....</i>	<i>31</i>
<i>Figure 15. Land Use Mix and Building Height (Roberts Day 2018)</i>	<i>31</i>
<i>Figure 16. Concept Design (Roberts Day 2018).....</i>	<i>32</i>
<i>Figure 17. Public Domain Activation Plan (Roberts Day 2018)</i>	<i>34</i>
<i>Figure 18. New Pedestrian Through-Site Link and Plaza (Roberts Day 2018).....</i>	<i>35</i>
<i>Figure 19. Rosehill Street Activation, Pedestrian Link & Plaza (Roberts Day 2018)</i>	<i>36</i>
<i>Figure 20. Rosehill Street Greening and Activation (Roberts Day 2018)</i>	<i>36</i>
<i>Figure 21. Cornwallis Lane Activation (Roberts Day 2018)</i>	<i>37</i>
<i>Figure 22. Height Plan (Roberts Day 2018).....</i>	<i>38</i>
<i>Figure 23. Setbacks Plan (Roberts Day 2018)</i>	<i>39</i>
<i>Figure 24. Building Separation Plan (Roberts Day 2018)</i>	<i>40</i>
<i>Figure 25. Building Separation Sections (Roberts Day 2018)</i>	<i>40</i>
<i>Figure 26. Adjacent Envelope Scenario (Roberts Day 2018).....</i>	<i>41</i>

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

<i>Figure 27. Adjacent Envelope Scenario (Roberts Day 2018).....</i>	<i>42</i>
<i>Figure 28. Central Subregion (A Plan for Growing Sydney 2014).....</i>	<i>46</i>
<i>Figure 29. Priority Growth Areas and Urban Renewal Corridors (GSC 2017).....</i>	<i>48</i>
<i>Figure 30. Harbour CBD and Innovation Corridors (GSC 2017).....</i>	<i>50</i>
<i>Figure 31. Location of Waterloo Metro Station (SIX Maps 2017).....</i>	<i>52</i>
<i>Figure 32. Sydney Metro (NSW Government 2017)</i>	<i>52</i>
<i>Figure 33. Central to Eveleigh Corridor (UrbanGrowth NSW 2016)</i>	<i>53</i>
<i>Figure 34. Nominated Waterloo State Significant Precinct (DPE 2017).....</i>	<i>54</i>
<i>Figure 35. ESD Strategy (Roberts Day 2018)</i>	<i>71</i>
<i>Figure 36. Industry Clusters – City of Sydney Economic Development Strategy (Urbis 2018).....</i>	<i>75</i>

APPENDICES

Appendix 1	Survey Plan
Appendix 2	Urban Design Report
Appendix 3	Landscape Concept Plan
Appendix 4	Traffic Impact Assessment Report
Appendix 5	Economic Benefits and Community Needs Assessment
Appendix 6	Noise Impact Assessment
Appendix 7	Wind Study
Appendix 8	Environmentally Sustainable Development Strategy
Appendix 9	Public Art Strategy
Appendix 10	Voluntary Planning Agreement Offer
Appendix 11	Strategic Merit Test
Appendix 12	Lodgement Letter from City of Sydney Council
Appendix 13	Digital Model

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

EXECUTIVE SUMMARY

This Planning Proposal has been prepared by Willowtree Planning Pty Ltd on behalf of Redfern Rosehill Pty Ltd, and seeks to amend *Sydney Local Environmental Plan 2012* (SLEP2012) to include additional building height and floor space ratio (FSR) on the site. The land subject to this Planning Proposal is described as 44-78 Rosehill Street, Redfern (Lot 1 DP 792628).

The proposed rezoning intends to facilitate the future development of the site for mixed use development comprising commercial and residential components. Building heights up to 99.6m and a 10.4:1 FSR are required to support the creation of a mixed use precinct on the site.

The mix of land uses sought to be incorporated within the site are already permitted with consent in the relevant B4 Mixed Use zone pursuant to SLEP2012. Accordingly, no change of zone or additional permitted uses are required to facilitate the envisaged mixed use precinct.

To demonstrate the potential for the site as a mixed use precinct, an Urban Design Report has been prepared by Roberts Day (**Appendix 2**). The concept design has been informed by detailed site analysis and consideration of the surrounding context in order to provide an optimal development outcome that capitalises on the strategic potential of the land, uplifts the surrounding public domain and provides a high level of amenity.

A summary of the key planning metrics for the concept scheme is provided below and is further detailed in the Urban Design Report:

<i>Concept Design (Roberts Day 2018)</i>	
Planning Metric	Concept Proposal
Site Area	2,544m ²
Gross Floor Area (GFA) – Residential	23,409m ²
Apartment Yield	312 dwellings
GFA – Commercial	2,745m ²
GFA – Total	26,153m ²
FSR	10.28:1 (10.4:1 FSR control requested)
Building Height	99.6m (30 storeys)

The proposed amendments to SLEP2012 are considered appropriate for the following reasons:

- The proposed SLEP2012 amendment would enable the future development of the site for high density mixed use development including commercial premises and residential accommodation. Whilst the envisaged range of uses are already permitted with consent in the B4 Mixed Use zone, additional building height and FSR are required to support the viability of creating a vibrant mixed use precinct on the site.
- Given the site's strategic location in proximity of an extensive public transport network (including Redfern train station and the planned Waterloo Metro station), it is ideally located in accordance with the principles of transit-oriented development (TOD). Therefore, the site provides valuable opportunity to contribute to a sustainable, transit-oriented community providing a high standard of living for residents and workers.
- The site is also located within the Global Economic Corridor, the Central to Eveleigh urban renewal corridor and the Sydney Rapid Transit Corridor, and is in close vicinity

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

of the Redfern/Australian Technology Park knowledge hub, Sydney Metro at Waterloo, Urban Growth's Central to Eveleigh corridor and the Waterloo Urban Renewal Precinct. These precincts and corridors have been designated for intensified housing development, urban renewal and new jobs in knowledge-intensive sectors, which the proposal would support.

- The proposal is consistent with the state, regional and local strategic plans. Specifically, the proposal is consistent with the NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan, the Eastern City District Plan, the strategic objectives for Sydney Metro, the Central to Eveleigh Urban Transformation Strategy, the Waterloo Urban Renewal Project and Sustainable Sydney 2030, particularly as they relate to providing additional housing in accessible locations, growing the economy, revitalising urban renewal corridors, coordinating land uses with transport and other infrastructure, and concentrating growth in designated strategic centres/corridors.
- New housing on the site would support the need for additional housing supply in Sydney in accessible locations close to places of employment and established infrastructure. The delivery of 312 new dwellings would place downward pressure on prices to improve affordability and diversify housing choice. A range of unit sizes, as well as affordable housing units (5% affordable housing dedicated as part of the development), would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.
- The proposal would support sustained job creation and economic activity through the provision of commercial premises. Specifically, economic benefits include:
 - The proposal would continue to accommodate 240 jobs on the site, through the provision of ground and level 1 commercial premises capable of supporting a higher employment density than the current facilities.
 - The concept development would provide suitable commercial floor space to accommodate businesses in the creative, education, knowledge and digital industries, and relatedly to foster jobs growth in these industries (being the industries sought to strengthened by the City of Sydney's Economic Development Strategy).
 - By providing affordable or flexible floor space, the site may remain attractive to small-medium enterprises and business start-ups.
 - The dedication of 813m² affordable business floor space, conceived as a start-up hub, would provide the opportunity for approximately 50-55 local entrepreneurs to benefit from proximity to larger anchor uses (e.g. Google or Atlassian at ATP) and contribute to the City retaining talent as part of its global strategy. Within this strategic location, the economic benefits of this affordability model and its multiplier over a decade would be significant.
- The proposed LEP amendment aligns with the relevant Section 9.1 Ministerial Directions including as they relate to business zones, residential zones and the integration of land use and transport.
- The proposal is consistent with the aims of SLEP2012 as it seeks to facilitate the sustainable development and use of land for housing and commercial activities to meet the needs of local and regional populations, promote growth and reinforce the role of the City of Sydney.
- The future provision of mixed use development is wholly consistent with the B4 zone objectives as it provides a mixture of compatible land uses in a highly accessible

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

location close to Redfern train station and the future Waterloo Metro Station. It is noteworthy that the envisaged mixed use development is already permissible pursuant to the SLEP2012, with no change of zone or additional permitted use required.

- The proposed amendment of the SLEP2012 height of buildings and FSR standards to allow built form up to 30 storeys (99.6m) with a 10.4:1 FSR, would continue to achieve the objectives of the standards, as follows:
 - Additional height, GFA and FSR are required to make the redevelopment of the site viable. This redevelopment is required such that new commercial space and residential accommodation are delivered to support jobs, economic growth and the housing needs of Sydney's growing population.
 - The location of the site in immediate proximity of major transport infrastructure, established high rise mixed use development throughout Redfern, the Redfern to Waterloo TOD Precinct and Sydney Central Business District (CBD), means that high rise development on the site would integrate with the density of development and range of land uses in the site's vicinity.
 - New high density mixed use development would catalyse the desired revitalisation of the Redfern-Waterloo corridor and leverage off the significant investment embodied in the new Sydney Metro, and therefore reflects the desired character of the locality.
 - The stepped design would concentrate the tower element in proximity of land designated for high rise buildings, whilst lower building elements would be provided adjacent to existing and heritage-listed buildings. The design of the built form would therefore provide an effective height transition and protect neighbouring amenity (for residential properties and public open space).
- As detailed in the Urban Design Report (**Appendix 2**), the Concept Design is capable of compliance with the key requirements of the ADG. Whilst detailed assessment of a proposed development would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and adjoining sites. Similarly the potential of developing adjoining sites in accordance with the ADG has been demonstrated.
- The proposal would provide the opportunity to more effectively relate to the public domain through active commercial frontages at street level (including studios, galleries and workspaces), new public open spaces, the preservation of Gibbons Street Reserve, and the transformation of Cornwallis Lane into an activated pedestrian thoroughfare.
- A high level of amenity for all residents, workers and visitors would be ensured by designing built form with respect to solar access, views, visual privacy, acoustic privacy and the local wind environment.
- The proposal would not exhibit any adverse environmental impact, given that the site is located within an established urban area, has been historically developed and contains limited vegetation. The site's redevelopment would create opportunities for development designed in accordance with the principles of Environmentally Sustainable Development (ESD), new public open spaces, the co-location of housing and jobs, and the promotion of active transport use through TOD.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- The future population arising from the proposal would be adequately serviced by existing and planned childcare facilities, health facilities and education facilities in the surrounding area. Given the pre-existing need within the City of Sydney for additional open space and affordable housing, the Community Needs Assessment (**Appendix 5**) recommends that open space and affordable housing would form appropriate considerations as part of a Voluntary Planning Agreement (VPA).
- A VPA Offer has been prepared to ensure the proposal provides significant public benefit through the dedication of land for open space and a laneway, the provision of 5% of residential accommodation as affordable housing, and the provision of 813m² affordable business space (conceived as a start-up hub).

The subject site is therefore considered suitable for higher density mixed use development which the proposed amendment to SLEP2012 would enable. Accordingly, it is requested that the Planning Proposal is supported.

The Planning Proposal is structured in accordance with the following:

- Part A Land to Which the Planning Proposal Applies
- Part B Objectives or Intended Outcomes
- Part C Explanation of Provisions
- Part D Justification for Proposed LEP
- Part E Community Consultation
- Part F Conclusion

- **Appendix 1** Survey Plan
- **Appendix 2** Urban Design Report
- **Appendix 3** Landscape Concept Plan
- **Appendix 4** Traffic Impact Assessment Report
- **Appendix 5** Economic Benefits and Community Needs Assessment
- **Appendix 6** Noise Impact Assessment
- **Appendix 7** Wind Study
- **Appendix 8** Environmentally Sustainable Development Strategy
- **Appendix 9** Public Art Strategy
- **Appendix 10** Voluntary Planning Agreement Offer
- **Appendix 11** Strategic Merit Test
- **Appendix 12** Lodgement Letter from City of Sydney Council
- **Appendix 13** Digital Model

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART A LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

1.1 SITE DESCRIPTION AND EXISTING DEVELOPMENT

The subject site is identified as 44-78 Rosehill Street, Redfern, being legally described as Lot 1 DP 792628.

The site exhibits an area of 2,544m² with a tri street frontage to Rosehill Street to the east, Margaret Street to the north and Cornwallis Lane to the west. To the north a 3-5 storey residential flat building is located on the opposite side of Margaret Street, to the east Gibbons St Reserve is located on the opposite of Rosehill Street, to the south the site directly adjoins a two (2) storey terrace dwelling, and to the west a four (4) storey residential flat building and warehouse are located on the opposite side of Cornwallis Lane.

In its existing state, the site is occupied by a two (2) storey building comprising commercial tenancies and car parking at ground level and commercial tenancies above. The building is of rendered construction with glazing to the primary street frontage and upper level windows as well as roller shutters in the northern elevation. Pedestrian access to the tenancies is gained from Rosehill Street, and vehicular access is afforded via two (2) separate driveways leading to the at-grade car parking area at the rear of the site. No pedestrian or vehicular entry is enabled via Margaret Street or Cornwallis Street. Landscaping is limited to hedges and street trees adjacent to the Rosehill frontage.

The existing facilities on the site currently provide 3,204m² Net Lettable Area (NLA), accommodating four (4) businesses employing a total of 240 workers. This results in an average employment density of 13.3 jobs/m².

The site is shown in **Figure 1** and **Figure 2** below.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 1. Existing Site Development (SIX Maps 2017)

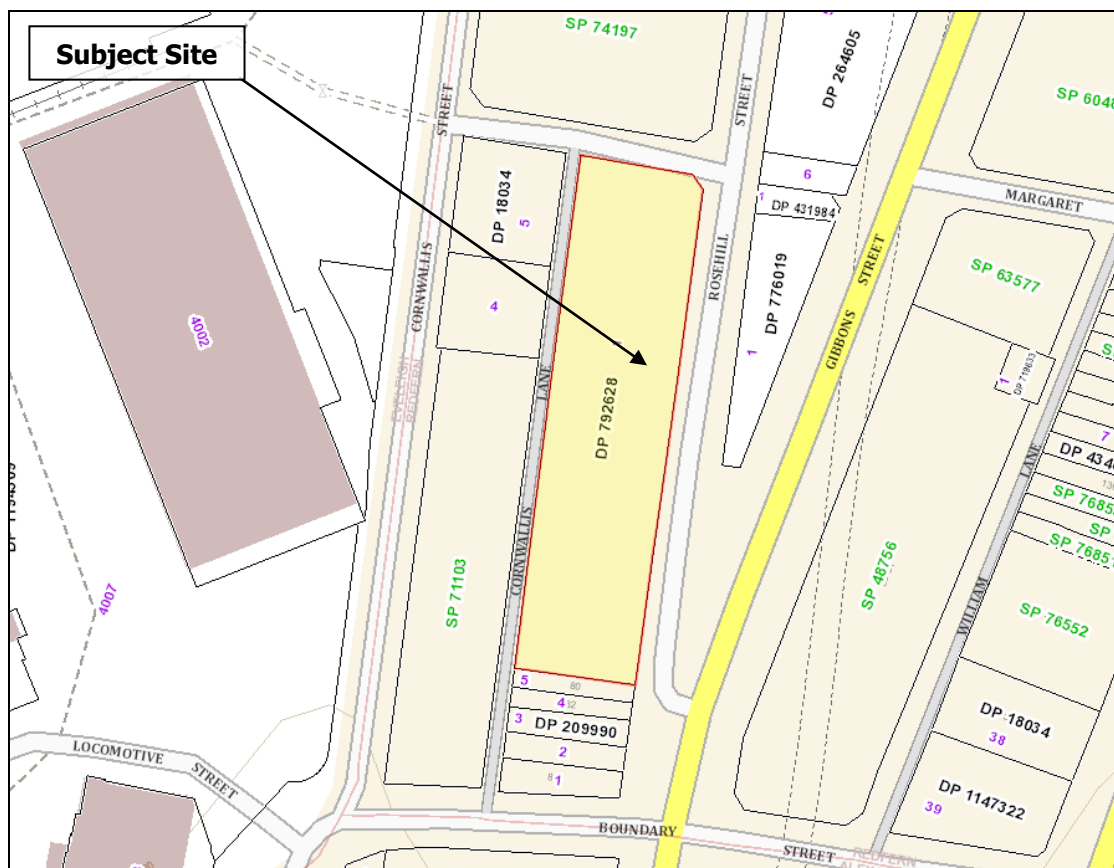


Figure 2. Cadastral Map (SIX Maps 2017)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

1.2 LOCAL AND REGIONAL CONTEXT

The subject site is located within the suburb of Redfern which forms part of the Sydney local government area (LGA) and is located approximately 3km south of the Sydney CBD.

The site context is mixed use in character, and includes residential flat buildings, dwelling houses, commercial office buildings and business premises, cafes, shops and major transport infrastructure. Existing development ranges in age of construction, style and density (generally 1-5 storeys in close proximity of the site, increasing to 18 storeys in the vicinity of Redfern train station).

Key elements of the surrounding context include:

- Australian Technology Park 150m to the south-west
- Redfern commercial core 300m to the north
- Prince Alfred Park and public pool 900m to the north
- University of Sydney's Camperdown campus 1.1km to the north-west
- Moore Park 2km to the east

The site is within walking distance of key public transport nodes, including:

- 300m walking distance of Redfern train station
- 350m of the future Waterloo Metro station
- 1.4km of Green Square station
- 1.6km of Erskineville station
- 1.8km of Central station

Bus stops situated along Gibbons Street and throughout surrounding streets provide connections through the Redfern suburb and to Sydney CBD, Marrickville, Eastgardens, Matraville and Port Botany via surrounding suburbs.

Resulting from the proximity of the site to public transport, active transport networks and services, the site has been awarded a walkscore of 97 (walker's paradise, daily errands do not require a car) and a transit score of 100 (rider's paradise, world-class public transportation).

Key public transport routes are shown in **Figure 6**. Cycling routes are shown in **Figure 7**.

Existing and planned social infrastructure within a 2km radius of the site has been audited as part of the Economic Benefits and Community Needs Assessment (**Appendix 5**) and includes:

- Seven (7) open spaces within 800m of the site and 26 open spaces within 2km of the site. These spaces include Gibbons Reserve adjacent to the site (being a local park with off-leash dog area), Alexandria Park (including a multipurpose sports field, two (2) tennis courts, a basketball court, children's playground and picnic shelters), Redfern Park (including an oval, grandstand, children's playground and community room), Moore Park Golf Course, Wentworth Park and Prince Alfred Park.
- Eight (8) child care centres within 800m of the site and 37 child care centres within 2km of the site.
- One (1) education facility within 800m of the site and 37 education facilities within 2km of the site, including government and non-government primary and secondary

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

schools, the University of Sydney, the University of Technology and TAFE NSW Ultimo campus and Sydney campus.

- Two (2) health facilities within 800m of the site and three (3) health facilities within 2km of the site, including community health centres and Royal Prince Alfred Hospital.

The site is also located within the Global Economic Corridor, the Central to Eveleigh urban renewal corridor and the Sydney Rapid Transit Corridor, and is in close vicinity of the Redfern/Australian Technology Park knowledge hub, Sydney Metro at Waterloo, Urban Growth's Central to Eveleigh corridor and the Waterloo Urban Renewal Precinct, as described in greater detail in **Part D** of this Planning Proposal report.

The regional and strategic context is shown in **Figures 3-8**.

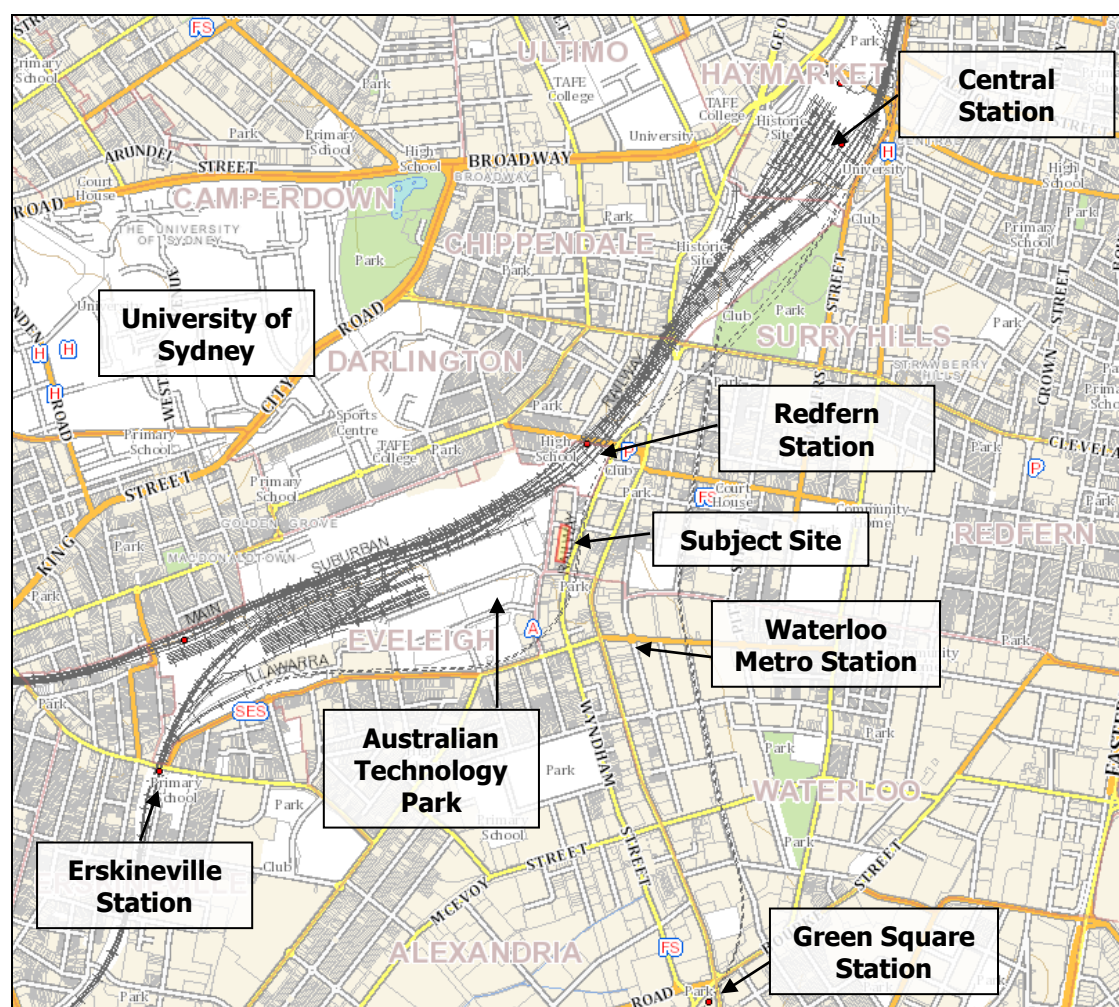


Figure 3. Context Map (SIX Maps 2017)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

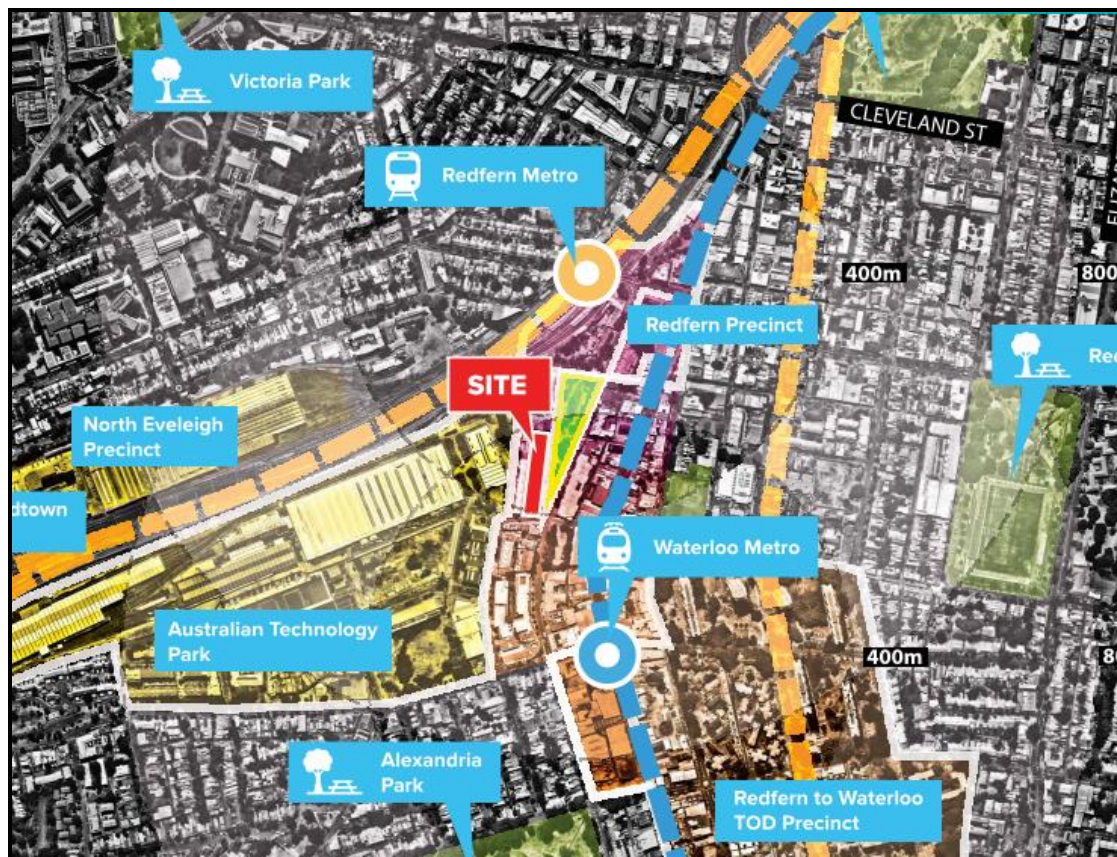


Figure 4. Strategic Context Map (Roberts Day 2018)



Figure 5. Strategic Context Map (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

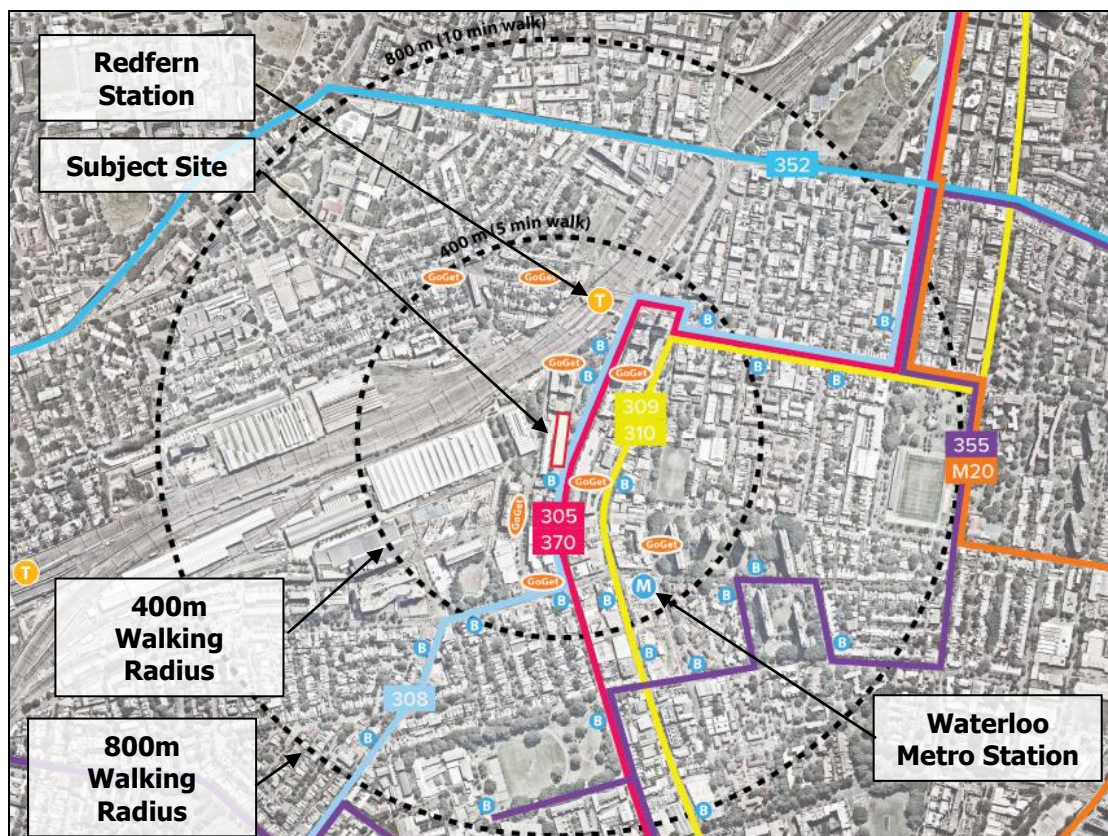


Figure 6. Public Transport Map (Roberts Day 2018)

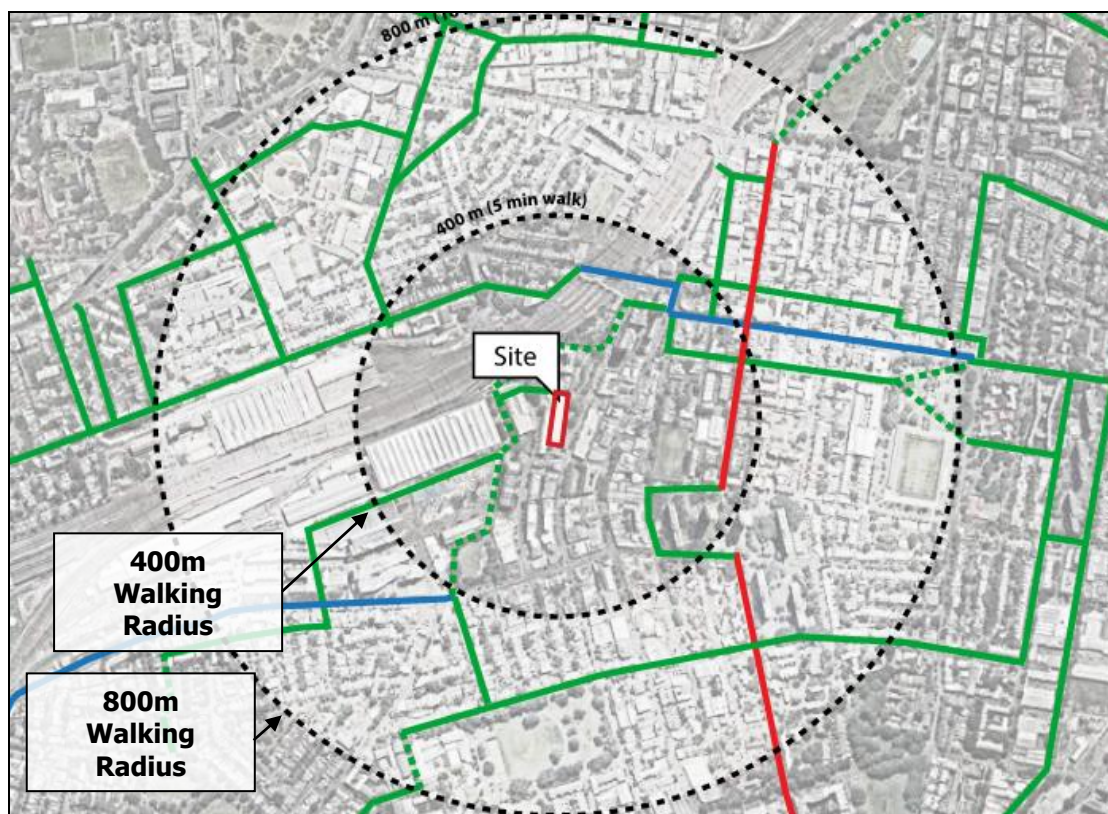


Figure 7. Cycling Routes (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 8. Existing and Planned Social Infrastructure (Urbis 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

1.3 PLANNING CONTEXT

1.3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

A rezoning application must have consideration of the objectives of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The objectives are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land,*
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment,*
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

This submission is consistent with, and has considered, the objects of the Act, which have been addressed in the various sections of this report and summarised as follows:

- The site is not identified in proximity of any area of biodiversity and accordingly the proposal would not exhibit any adverse impact on the natural environment or other resources. Rather the proposal relates to a site that has been historically developed and forms part of an established urban area.
- The proposal would create opportunities for ecologically sustainable development that achieves economic, environmental and social objectives.
- The proposal would facilitate the orderly and economic use and development of land by enabling mixed use development in direct proximity of major public transport infrastructure, established commercial and residential development and land designated for urban renewal.
- The proposal would support surrounding communities by providing housing (including affordable housing) and commercial space (including affordable business space) to accommodate current and projected growth in highly accessible locations.
- The subject site does not comprise heritage significance and therefore presents significant opportunity for renewal.
- By supporting the future development of the site, the proposal generates opportunity for the creation of a mixed use precinct that delivers high quality design and high levels of amenity.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

1.3.2 SYDNEY LOCAL ENVIRONMENTAL PLAN 2012

The site is subject to the provisions of SLEP2012. The aims of SLEP2012 are:

- (1) This Plan aims to make local environmental planning provisions for land in the City of Sydney in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) The particular aims of this Plan are as follows:*
 - (a) to reinforce the role of the City of Sydney as the primary centre for Metropolitan Sydney,*
 - (b) to support the City of Sydney as an important location for business, educational and cultural activities and tourism,*
 - (c) to promote ecologically sustainable development,*
 - (d) to encourage the economic growth of the City of Sydney by:*
 - (i) providing for development at densities that permit employment to increase, and*
 - (ii) retaining and enhancing land used for employment purposes that are significant for the Sydney region,*
 - (e) to encourage the growth and diversity of the residential population of the City of Sydney by providing for a range of appropriately located housing, including affordable housing,*
 - (f) to enable a range of services and infrastructure that meets the needs of residents, workers and visitors,*
 - (g) to ensure that the pattern of land use and density in the City of Sydney reflects the existing and future capacity of the transport network and facilitates walking, cycling and the use of public transport,*
 - (h) to enhance the amenity and quality of life of local communities,*
 - (i) to provide for a range of existing and future mixed-use centres and to promote the economic strength of those centres,*
 - (j) to achieve a high quality urban form by ensuring that new development exhibits design excellence and reflects the existing or desired future character of particular localities,*
 - (k) to conserve the environmental heritage of the City of Sydney,*
 - (l) to protect, and to enhance the enjoyment of, the natural environment of the City of Sydney, its harbour setting and its recreation areas.*

The proposal is consistent with the aims of SLEP2012 as it seeks to facilitate the sustainable development and use of land for housing and commercial activities to meet the needs of local and regional populations, promote growth and reinforce the role of the City of Sydney.

Relevant zoning and development standards are summarised in the subsequent sections.

Zoning and Permissibility

The site is zoned *B4 Mixed Use* pursuant to SLEP2012 (**Figure 9**).

The objectives of the B4 zone are:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To ensure uses support the viability of centres.*

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

The future provision of mixed use development comprising commercial premises and residential accommodation, is consistent with the B4 zone objectives as it provides a mixture of compatible land uses in a highly accessible location close to Redfern train station and the future Waterloo Metro Station.

Within the B4 zone the following are permissible without consent:

Home occupations.

Within the B4 zone the following are permissible with consent:

*Boarding houses; Centre-based child care facilities; **Commercial premises;** Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; **Shop top housing; Any other development not specified in item 2 or 4.***

Within the B4 zone the following are prohibited:

Extractive industries; Heavy industrial storage establishments; Heavy industries.

All types of Commercial Premises and Residential Accommodation, as well as a wide range of other land uses, are permitted with consent on the site. Therefore the envisaged mixed use development is already permissible, with no change of zone or additional permitted use required.



Figure 9. Zoning Map (NSW Legislation 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Minimum Subdivision Lot Size

The site is not subject to a minimum lot size pursuant to SLEP2012.

No change to the minimum subdivision lot size control is required to support the proposed mixed use development.

Height of Buildings

The site is subject to a maximum building height of 18m pursuant to SLEP2012 (**Figure 10**).

In order to promote the efficient and sustainable use of land it is proposed to amend the Height of Buildings development standard, as described in **Part C**.



Figure 10. Height of Buildings Map (NSW Legislation 2018)

Floor Space Ratio

The site is subject to a maximum FSR of 2:1 pursuant to SLEP2012 (**Figure 11**).

To support the orderly and economic development of land it is also proposed to amend the FSR development standard, as described in **Part C**.

The site is also subject to clause 7.23 of SLEP2012 which restricts the provision of retail GFA in certain areas in order to promote the economic strength of planned local centres by limiting large-scale retail development. Pursuant to clause 7.23, development for the purpose of shops or markets may exhibit a maximum GFA of 1,000m².

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 11. Floor Space Ratio Map (NSW Legislation 2018)

Land Reservation

The site is not subject to any land reservations identified in the relevant SLEP2012 map.

Heritage Conservation

The site is not identified as an item of environmental heritage or within a heritage conservation area.

Design Excellence

Pursuant to clause 6.21 of SLEP2012 a competitive design process must be held in relation to the following:

- (a) development in respect of a building that has, or will have, a height above ground level (existing) greater than:
 - (i) 55 metres on land in Central Sydney, or
 - (ii) **25 metres** on any other land,
- (b) development having a capital investment value of more than **\$100,000,000**,
- (c) development in respect of which **a development control plan is required to be prepared under clause 7.20**,
- (d) development for which the applicant has chosen such a process.

A building that demonstrates design excellence may exceed the maximum building height by up to 10% or the maximum FSR by 10%.

This Planning Proposal seeks to facilitate future development that exceeds 25m in height, which would trigger the need for a competitive design process under clause 6.21. The competitive design process and design excellence award would be considered at the future development application (DA) stage.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Car Parking Ancillary to other Development

Part 7 Division 1 of SLEP2012 sets out *maximum* rates for car parking that is ancillary to other development. The site is identified as 'Category B' in the Land Use and Transport Integration Map and 'Category E' in the Public Transport Accessibility Level Map. The site is therefore subject to the following maximum car parking rates pursuant to clauses 7.5, 7.6 and 7.7:

Table 1. SLEP2012 Maximum Car Parking Rates	
Particular	Maximum Car Parking Rate
Residential	
Studio	0.2 spaces/dwelling
1 bed	0.4/dwelling
2 bed	0.8/dwelling
3+ bed	1.1/dwelling
Visitor parking – for each dwelling up to 30 dwellings	0.167 spaces/dwelling
Visitor parking – for each dwelling more than 30 dwellings and up to 70 dwellings	0.1 spaces/dwelling
Visitor parking – for each dwelling more than 70 dwellings	0.05 spaces/dwelling
Office Premises and Business Premises	
Buildings with an FSR not exceeding 2.5:1	1 space/125m ² GFA used for that purpose
Buildings with an FSR exceeding 2.5:1	$M = (G \times A) / (50 \times T)$ Where: <ul style="list-style-type: none">▪ M is the maximum number of parking spaces▪ G is the GFA (m²) of all office/business premises in the building▪ A is the site area (m²)▪ T is the total GFA (m²) of all buildings on the site
Retail Premises	
Buildings where the retail GFA does not exceed 2,000m ²	1 space/60m ² GFA used for that purpose

Car parking provision for the future development is addressed in **Part C**, having regard to the SLEP2012 maximum parking rates.

Acid Sulfate Soils

The site is identified as containing Class 5 acid sulfate soils in the relevant SLEP2012 map.

Any geotechnical testing required with respect to acid sulfate soils would be carried out prior to physical works occurring on the site. Further consideration of acid sulfate soils would be offered at the future DA phase, as required under clause 7.14 of SLEP2012.

Development Requiring or Authorising the Preparation of a Development Control Plan

Clause 7.20 of SLEP2012 identifies certain types of development for which a development control plan (DCP) is required to be prepared.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Given the future development that this Planning Proposal seeks to facilitate would include new buildings exceeding 25m in height, the requirement to prepare a DCP under clause 7.20 would be triggered.

The preparation of a DCP would be considered at the future DA stage in conjunction with the built form that triggers the clause. Preliminary consideration of design parameters is offered in the Urban Design Report at **Appendix 2**, including with respect to building height, FSR, setbacks, building separation, solar access and the ADG.

1.3.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT BUILDINGS

State Environmental Planning Policy 65 – Design Quality of Residential Apartments Buildings (SEPP 65) contains nine (9) design principles aimed to ensure a high quality of residential apartment development. More detailed design criteria is provided within the ADG.

Future redevelopment of the site for mixed use development incorporating residential accommodation is required to consider SEPP 65 and the ADG.

As detailed in the Urban Design Report at **Appendix 2**, the Concept Design is capable of compliance with the key requirements of the ADG, including with respect to building setbacks, building depth, visual privacy, open space, solar access, parking, apartment size and mix, and apartment design. Whilst detailed assessment of a proposed development for the site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and adjoining sites.

Similarly the potential of developing adjoining sites in accordance with the ADG has been demonstrated. Further details are provided in **Part C** of this report and **Appendix 2**.

1.3.4 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments applicable to the proposed development on the subject site.

1.3.5 SYDNEY DEVELOPMENT CONTROL PLAN 2012

Sydney Development Control Plan 2012 (SDCP2012) applies to land within the Sydney LGA and complements SLEP2012 by providing more detailed controls to guide development. The aims of SDCP2012 are to:

- (a) *encourage development to respond to its context and is compatible with the existing built environment and public domain;*
- (b) *recognise and reinforce the distinctive characteristics of the City of Sydney's neighbourhoods and centres;*
- (c) *build upon the detailed objectives and controls under Sydney LEP 2012;*
- (d) *protect and enhance the public domain;*
- (e) *achieve the objectives of the City's Sustainable Sydney 2030 Strategy;*
- (f) *encourage design that maintains and enhances the character and heritage significance of heritage items and heritage conservation areas; and*
- (g) *encourage ecologically sustainable development and reduce the impacts of development on the environment.*

Future development on the site would consider the objectives and provisions of SDCP2012.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

As noted above, future development would trigger the requirement for a site-specific DCP under clause 7.20 of SLEP2012. Preliminary consideration of design parameters is offered in the Urban Design Report at **Appendix 2**, including with respect to building height, FSR, setbacks, building separation, solar access and the ADG.

1.4 PRE LODGEMENT MEETING CITY OF SYDNEY COUNCIL

A Pre Lodgement Meeting was held with City of Sydney Council on 19 December 2017, at which time the intended rezoning of the site and initial concept development were discussed.

Subsequent to the meeting, Council issued a letter dated 20 December 2017 identifying the requirements for the lodgement of a formal Planning Proposal (refer **Appendix 12**). The following table summarises those issues which were identified by Council and summarises the means of address.

A documentation checklist was also issued by Council, and all items requesting have been included within this Planning Proposal report and its appendices.

Table 2. Summary of Matters Identified by City of Sydney Council	
Matter Identified by Council	Comment
<i>Solar access to existing residential development, including to apartments on Gibbons Street</i>	Solar access modelling has been carried out and is detailed in the Urban Design Report at Appendix 2 . As summarised in Section 4.3.2 of this report, the proposal would comply with City of Sydney's policies and the ADG with respect to the levels of solar access provided to the concept built form, adjacent buildings and public open spaces. Specifically, 100% of apartments within the buildings on Gibbons Street and Cornwallis Street would continue to receive at least 2h sunlight, and 77% of dwellings within the Botany Road/Spencer Lane development would receive 2h sunlight.
<i>Overshadowing of public open space, such as Gibbons Street Reserve, Daniel Dawson Reserve, and other public spaces, including at ATP along Locomotive Street</i>	As noted above, solar access modelling has been carried out and is detailed in the Urban Design Report at Appendix 2 . As summarised in Section 4.3.2 of this report, the concept development maintains 4h sunlight to a minimum of 50% of space within Gibbons Street Reserve, Daniel Dawson Reserve and Australian Technology Park (ATP) on Locomotive Street, thereby complying with Council's policy.
<i>Building separations consistent with the Apartment Design Guide</i>	As shown within the concept plans modelling the intended future development scenario for the site, building separation would comply with the ADG. ADG compliance is addressed in the Urban Design Report at Appendix 2 .
<i>An acceptable wind environment for the desired use of footpaths and public space</i>	A Wind Study has been prepared and is provided at Appendix 7 . The Wind Study

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

	confirms that a suitable wind environment would be achieved for footpaths and public spaces as a result of the development, subject to the inclusion of recommended treatments in the final design.
<i>Communal open space with solar access and deep soil planting consistent with the Apartment Design Guide</i>	Communal open spaces would be provided in accordance with the ADG, including with respect to deep soil landscaping and solar access. ADG compliance is addressed in the Urban Design Report at Appendix 2 .
<i>Provision of affordable housing and non-residential floor space</i>	<p>The future redevelopment of the site to create a mixed use precinct would generate opportunities for the delivery of affordable housing and non-residential floor space.</p> <p>As detailed in the Urban Design Report (Appendix 2), the concept development incorporates 2,745m² commercial floor space (including commercial offices, retail space and innovation space). 813m² affordable business space would be dedicated, conceived as a start-up hub.</p> <p>Public and communal open space would also be provided at ground level and on the rooftop, respectively.</p> <p>Pursuant to the VPA (Appendix 10), the proposal would allocate 5% of the future development as affordable housing, and also make provision for 813m² affordable commercial space.</p>

1.5 PRE LODGEMENT DISCUSSIONS DEPARTMENT OF PLANNING AND ENVIRONMENT

A Pre Lodgement Meeting was held with DPE on 5 March 2018, having been coordinated by Malcolm McDonald and attended by Luke Johnson.

At the meeting DPE advised that the site is situated within the boundary of the draft Land Use and Infrastructure Plan (LUIP) for the Botany Road corridor, and that the Planning Proposal was consistent with the draft LUIP.

Given the early stage of the draft LUIP, it was agreed that a VPA should be negotiated with City of Sydney Council, and that this would provide the satisfactory arrangements. No State infrastructure Contribution (SIC) Levy would be applicable.

DPE advised that it was not necessary for them to view the Planning Proposal prior to lodgement, and would participate as part of the Planning East Team in due course.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART B OBJECTIVES OR INTENDED OUTCOMES

2.1 OBJECTIVES AND INTENDED OUTCOMES

The key objective of the proposed LEP amendment is to enable an appropriate density of mixed use development on the site. This intended outcome would be achieved with respect to the following secondary objectives:

- Provide mixed use development on the site incorporating ground floor and level 1 commercial premises and upper level residential accommodation.
- Introduce a transitional development that complements the range of surrounding land uses, integrates with the variety of built form densities in the general area, responds to the strategic location of the site and leverages new infrastructure investment (namely the Sydney Metro station at Waterloo).
- Promote the sustainable use of land through appropriate development typologies and scales.
- Provide new housing in a highly accessible, established urban area to improve housing choice and affordability in the area and ultimately meet the housing needs of the growing population.
- Preserve employment generating activities on the site so as to provide jobs and services to support the local population. In particular, deliver spaces to support innovation and knowledge sectors.
- Activate the site and public domain at street level through the provision of active ground floor uses, public open space and high quality architectural design.
- Catalyse the revitalization of Cornwallis Lane.
- Augment the amenity of the subject site whilst preserving the amenity of adjoining sites and public open spaces, including with respect to solar access, natural ventilation, wind environment and privacy.
- Secure additional public benefit through a VPA addressing the dedication of land for open space and a laneway, provision of affordable housing, and provision of affordable commercial floor space.

The future development of the site for mixed use development would be subject to separate approval under a DA.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART C EXPLANATION OF PROVISIONS

3.1 OVERVIEW

It is proposed to amend SLEP2012 in order to include additional building height and FSR on the site.

It is noted that given residential accommodation, commercial premises and a wide range of other uses are already permitted on the site in accordance with the current B4 Mixed Use zone, no change of zone or additional permitted use will be required to facilitate the intended future mixed use development.

3.2 AMENDMENT TO SYDNEY LEP 2012 HEIGHT OF BUILDINGS

Amendment is sought to clause 4.3 Height of Buildings of SLEP2012 in order to achieve the objectives of the proposal, being the future development of the site for mixed use development.

Pursuant to clause 4.3 of SLEP2012 the site is currently subject to an 18m maximum building height, which is considered insufficient to support mixed use development on the site.

It is requested to amend the provisions of clause 4.3 to provide a 99.6m maximum building height for the site. This would enable the future development of the site for 30 storey buildings, which is conducive to the creation of a mixed use precinct in accordance with the objectives of this Planning Proposal.

The objectives of clause 4.3 are as follows:

- a) *to ensure the height of development is appropriate to the condition of the site and its context,*
- b) *to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas or special character areas,*
- c) *to promote the sharing of views,*
- d) *to ensure appropriate height transitions from Central Sydney and Green Square Town Centre to adjoining areas,*
- e) *in respect of Green Square:*
 - a. *to ensure the amenity of the public domain by restricting taller buildings to only part of a site, and*
 - b. *to ensure the built form contributes to the physical definition of the street network and public spaces.*

The existing objectives of clause 4.3 would not be altered by this proposal but rather would be achieved by the amendment, as follows:

- The height of the development has been informed by site and context analysis, as outlined in the Urban Design Report at **Appendix 2**. In particular, the location of the site in immediate proximity of major transport infrastructure (Redfern station and the new Waterloo Metro station), high rise mixed use development throughout Redfern, the Redfern to Waterloo TOD Precinct and Sydney CBD, means that high rise development on the site would integrate with the density of development and range of land uses in the site's vicinity.
- The stepped design of the development would concentrate the tower element at the northern end of the site, in proximity of rail infrastructure and land designated for high rise buildings. Lower building elements would be provided adjacent to the southern boundary where existing and heritage-listed buildings exhibit lower

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

densities. The design of the built form would therefore provide an effective height transition.

- The site context is not defined by any significant view corridors. The proposed development is therefore not considered to compromise view-sharing.
- The site is not located within Central Sydney or Green Square, but is located in another area of Sydney that has seen significant new development with heights up to 20 storeys in recent years. In association with the new Sydney Metro station at Waterloo as well as the broader revitalization of the Redfern-Waterloo corridor, future development in proximity of the site will exhibit building heights up to 30 storeys. The height of the proposed development would therefore contribute to the revitalization of this corridor.
- Although the site is not within Green Square, the development would protect and enhance the amenity of the public domain through active commercial frontages at street level (including studios, galleries and workspaces), new public open spaces, the preservation of Gibbons Street Reserve, and the transformation of Cornwallis Lane into an activated pedestrian thoroughfare.

The required extent of the LEP amendment for additional building height is shown in **Figure 12**.

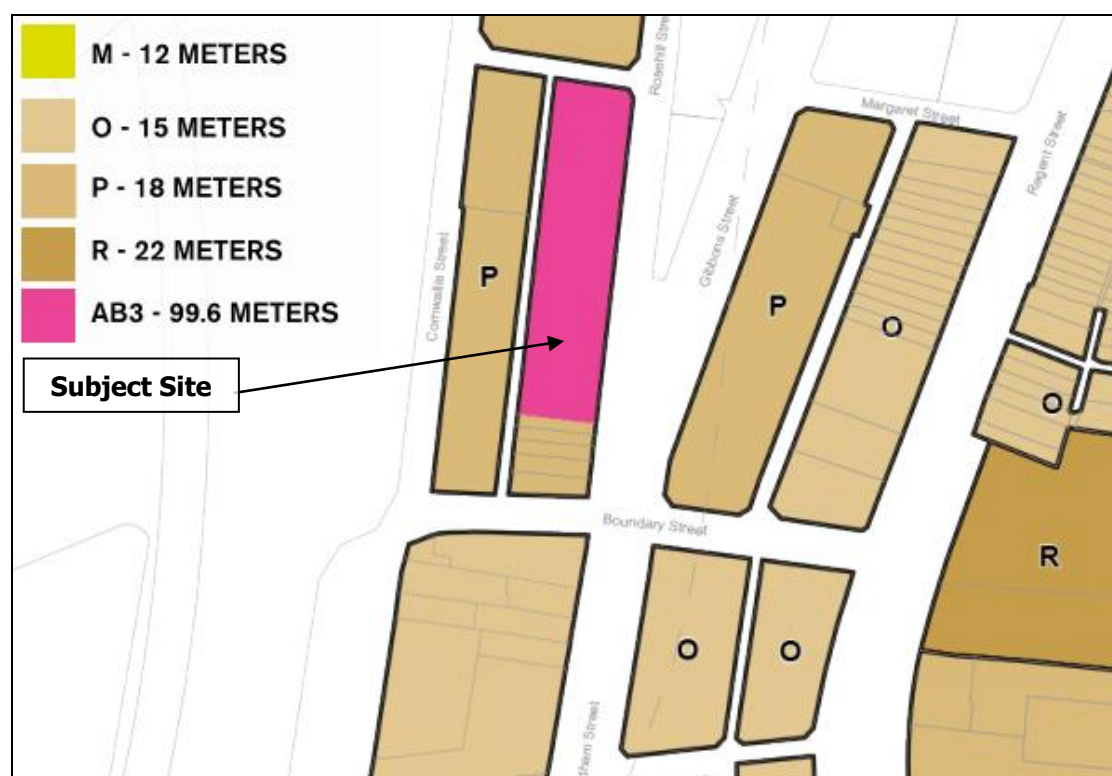


Figure 12. Proposed Height of Buildings Map (HOB_010) (NSW Legislation 2018)

3.3 AMENDMENT TO SYDNEY LEP 2012 FLOOR SPACE RATIO

To achieve the objectives of the proposal, it is also required to amend clause 4.4 Floor Space Ratio of SLEP2012 to allow increased density.

Pursuant to clause 4.4 of SLEP2012 the site is currently subject to a 2:1 maximum FSR, which also restricts the viability of developing the site for an appropriate use, such as mixed use development.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

To facilitate the redevelopment of the site for mixed use development, it is requested to amend the provisions of clause 4.4 to provide a 10.4:1 maximum FSR for the site.

The objectives of clause 4.4 are as follows:

- a) to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*
- b) to regulate the density of development, built form and land use intensity and to control the generation of vehicle and pedestrian traffic,*
- c) to provide for an intensity of development that is commensurate with the capacity of existing and planned infrastructure,*
- d) to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of that locality.*

The existing objectives of clause 4.4 would not be altered by this proposal but rather would be achieved by the amendment, as follows:

- Additional GFA and FSR are required to make the redevelopment of the site viable. This redevelopment is required such that new commercial space and residential accommodation are delivered to support jobs, economic growth and the housing needs of Sydney's growing population. The site's redevelopment also presents significant opportunity to contribute to the revitalization of the Redfern-Waterloo corridor and leverage off the significant investment embodied in the new Sydney Metro.
- The proposed density of development, built form and land use, integrate with the site context which, as described in the former section, incorporates recently-constructed high rise mixed use buildings and in the future will be further developed for high density built form in association with Sydney Metro and the Redfern-Waterloo corridor.
- The site is located in immediate vicinity of Redfern station and in close proximity of the new Sydney Metro station at Waterloo, and is therefore ideally positioned in accordance with the principles of TOD. This would minimise the volume of vehicular traffic generated in conjunction with the development.
- The significant rail investment described above will significantly augment the capacity of transport infrastructure and would suitably service the demand generated by the development.
- New high density mixed use development would catalyse the desired transformation of the Redfern-Waterloo corridor and therefore reflects the desired character of the locality.
- The stepped form of the development has been designed to protect neighbouring residential amenity. The amenity of the public domain would be enhanced by the development through the activation of streets, lanes and public open spaces.

The required extent of this LEP amendment for additional FSR is shown in **Figure 13**.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 13. Proposed Floor Space Ratio Map (FSR_010) (NSW Legislation 2018)

3.4 CONCEPTUAL BUILT FORM

To test the suitability of the site for mixed use development with a maximum height of 99.6m and 10.28:1 FSR (noting though that a 10.4:1 FSR control is requested), a concept development scheme has been prepared by Roberts Day and is detailed in **Appendix 2**.

The concept design has been informed by detailed site analysis and consideration of the surrounding context in order to provide an optimal development outcome that capitalises on the strategic potential of the land, uplifts the surrounding public domain and provides a high level of amenity.

Specifically, the concept scheme incorporates two (2) buildings, referred to as Building 01 (northern portion of the site) and Building 02 (southern portion of the site). For both buildings, a commercial podium incorporating commercial offices, retail tenancies and innovation space, is proposed for the ground floor and level 1, whilst residential apartments are proposed for upper levels (refer **Figure 15**). Four (4) basement levels are proposed for the purpose of car parking. Two (2) public open spaces are proposed, to the north of Building 01 and in the separation zone between Buildings 01 and 02, respectively.

A stepped built form is envisaged (two (2) storeys to 30 storeys (refer **Figure 15**)), providing a transition in height and scale and protecting the amenity of low-scale residential dwellings to the south as well as existing public open spaces. Further details of building height are provided in **Section 3.6** below.

The proposed mix of land uses and concept design also accord with the seven (7) principles of the 'Better Placed' Draft Design Policy, as detailed in **Appendix 2**.

Development particulars for the concept scheme are summarised in **Table 3**.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Table 3. Concept Design Particulars (Roberts Day 2018)	
Development Particular	Concept Proposal
Total Development	
Site Area	2,544m ²
GFA – Residential	23,409m ²
Apartment Yield	312 dwellings
GFA – Commercial	2,745m ²
GFA – Total	26,153m ²
FSR	10.28:1 (10.4:1 FSR control requested)
Building Height	99.6m (30 storeys)
Car Parking	243 spaces (4.5 basement levels)
Communal Open Space	1,080m ² (rooftop)
Building 01	
GFA – Residential	18,602m ²
GFA – Commercial	1,931m ²
GFA – Total	20,533m ²
Height	30 storeys
Building 02	
GFA – Residential	4,807m ²
GFA – Commercial	813m ²
GFA – Total	5,620m ²
Height	18 storeys

The concept residential apartment mix is summarised in **Table 4**.

Table 4. Concept Residential Apartment Mix (Roberts Day 2018)		
Unit Type	Number of Units	Proportion of Total Units
1 bedroom	94	30%
2 bedroom	187	60%
3 bedroom	31	10%
Total apartments	312	100%

The concept design for the future development of the site is shown in **Figures 14-16**.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 14. Concept Plan (Roberts Day 2018)

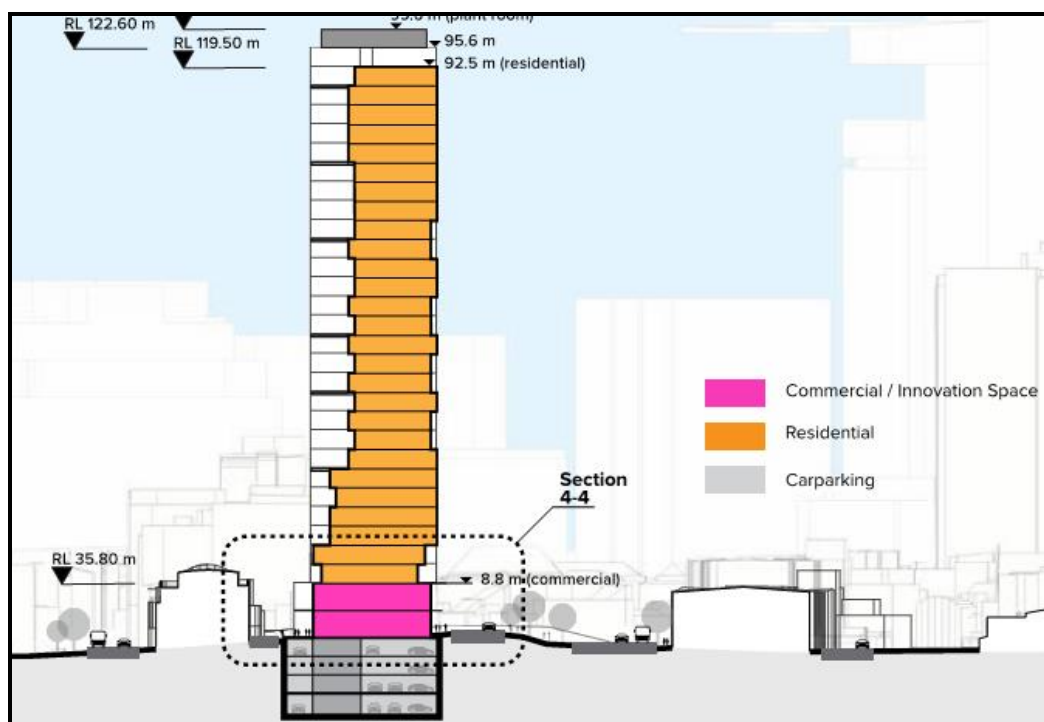


Figure 15. Land Use Mix and Building Height (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 16. Concept Design (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

3.5 PUBLIC DOMAIN AND LANDSCAPE

The mixed use concept sought to be delivered through the proposed LEP amendments, would significantly improve the quality of the public domain adjacent to the site. The proposal would also create new public spaces to expand the scale of the public domain to the benefit of the local community.

An activated public domain would be achieved through:

- Two (2) new ground-level public open spaces;
- New pedestrian through-site link and mall;
- Active commercial frontages at street level, incorporating studios, galleries and workspaces;
- Orientation of buildings to address the street, lanes and public open spaces;
- Improved pedestrian infrastructure including widened footpaths and awnings;
- Public art; and
- Landscaping.

The activation of the public domain, including landscaping, is visually depicted in **Figures 17-21**.

Further details of landscaping are provided in the Landscape Report prepared by Turf Design Studio and provided in **Appendix 3**. State and local government policies, as well as local and international precedent in laneway activation, laneway greening, street tree planting, and vertical and rooftop gardens, have guided the concept landscape scheme for the future development of the site.

The widening and 'greening' of Cornwallis Lane would contribute to the fine grain and human scale of the streetscape and boost tree canopy cover. Terrace and rooftop gardens would also contribute to the urban tree canopy, positively contributing to microclimate, biodiversity and habitat, whilst optimising opportunities for social interaction amongst residents.

Species selection would align with the *City of Sydney Urban Forest Strategy*, adhering to the guidelines of having no more than 40% of one plant family, 30% of any one genus and 10% of any species. A diverse mix of drought tolerant species would ensure long-term resilience, minimise ongoing energy inputs for maintenance and have positive outcomes for biodiversity.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

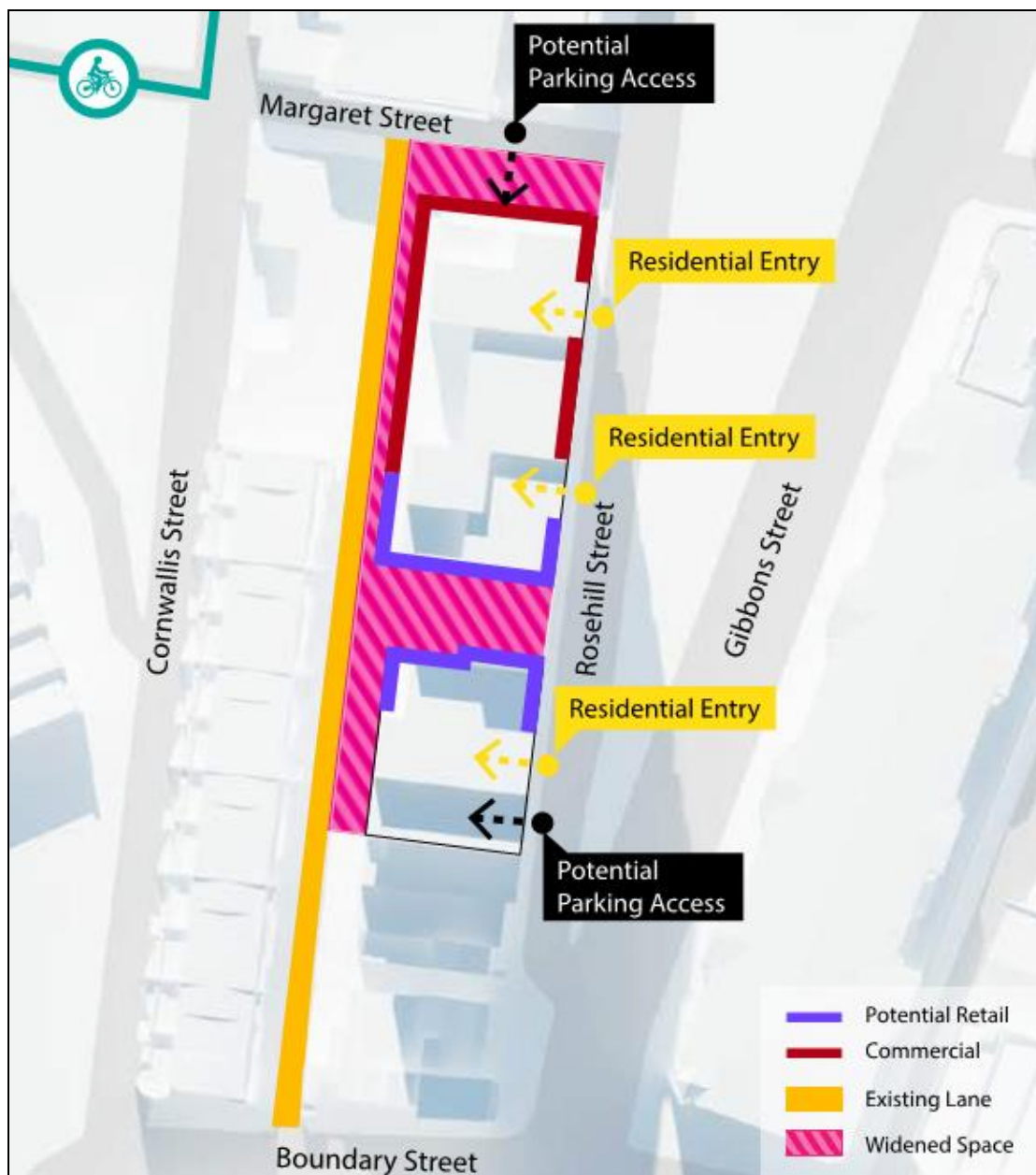


Figure 17. Public Domain Activation Plan (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 18. New Pedestrian Through-Site Link and Plaza (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 19. Rosehill Street Activation, Pedestrian Link & Plaza (Roberts Day 2018)



Figure 20. Rosehill Street Greening and Activation (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 21. Cornwallis Lane Activation (Roberts Day 2018)

3.6 DESIGN PARAMETERS AND ADG COMPLIANCE

The capability of the concept design complying with the ADG has been confirmed within the Urban Design Report at **Appendix 2**, including in respect to building setbacks, building depth, visual privacy, open space, solar access, parking, apartment size and mix, and apartment design. Whilst detailed assessment of a proposed development for the site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and neighbouring sites.

Key design parameters for the concept development are shown in **Figures 22-25**. It is anticipated that similar inputs would be included in the site-specific DCP, to be developed at the DA stage. It is noted that the building separation distances shown in **Figures 24 and 25** comply with the ADG.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

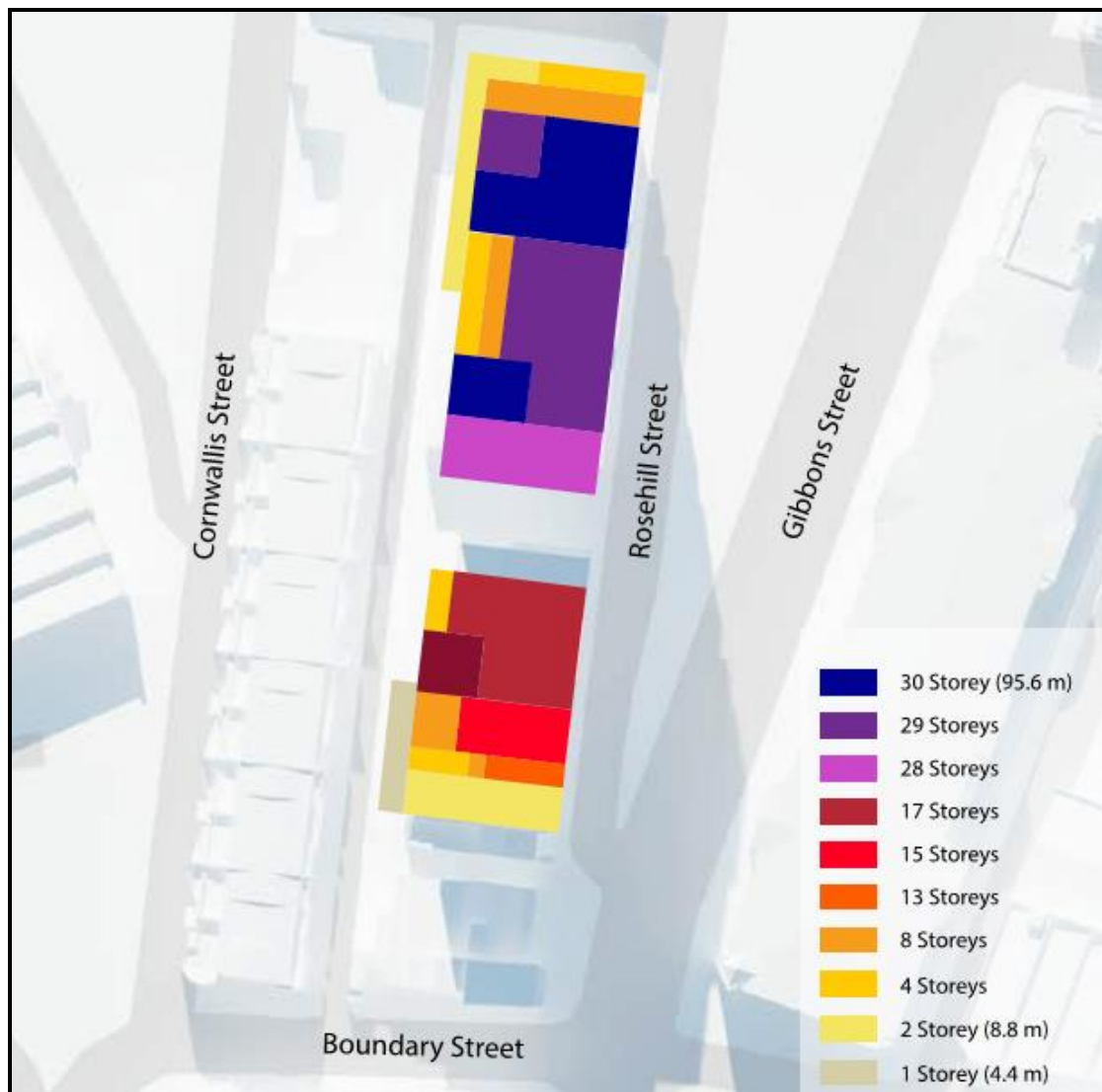


Figure 22. Height Plan (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

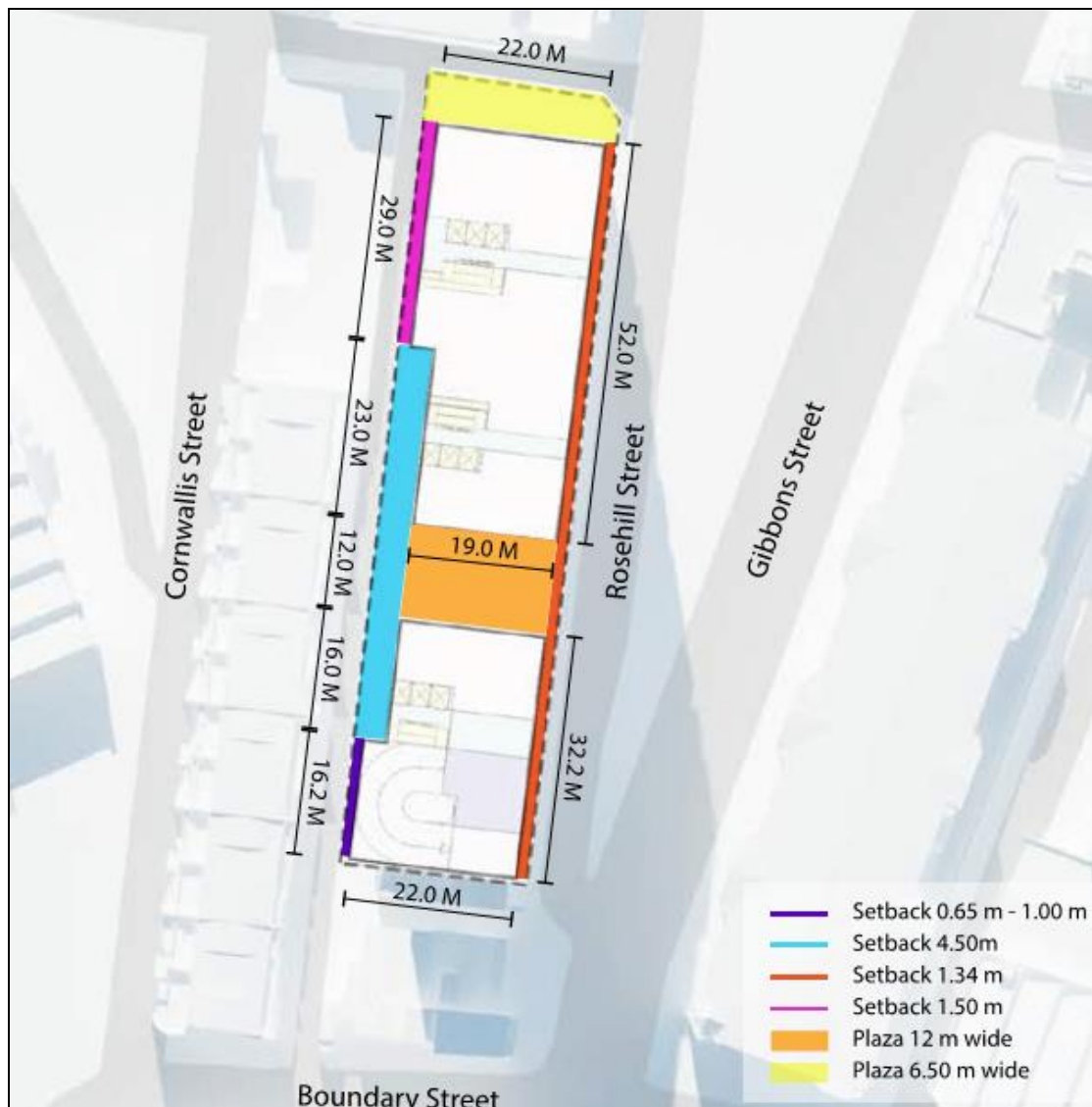


Figure 23. Setbacks Plan (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

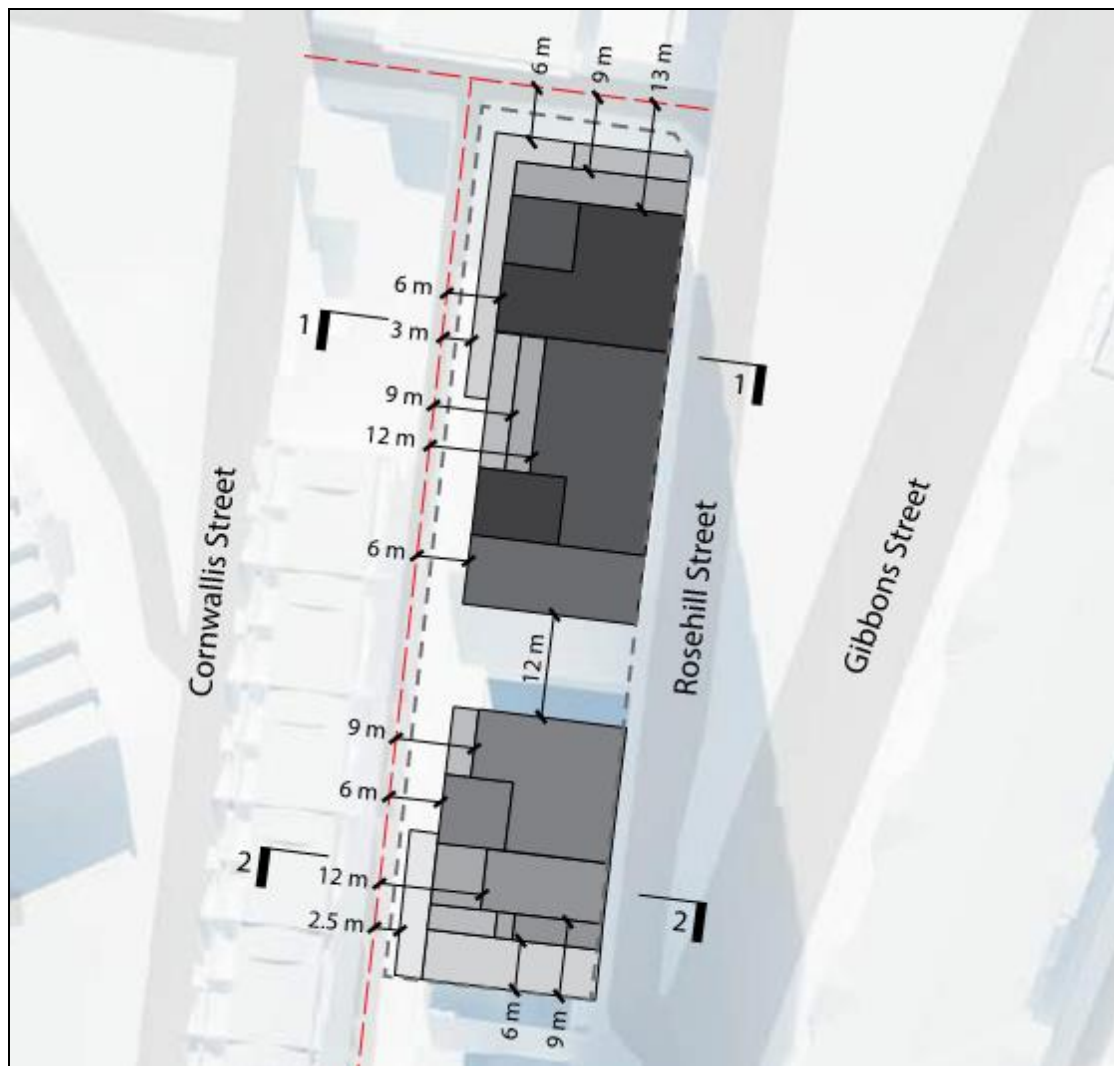


Figure 24. Building Separation Plan (Roberts Day 2018)

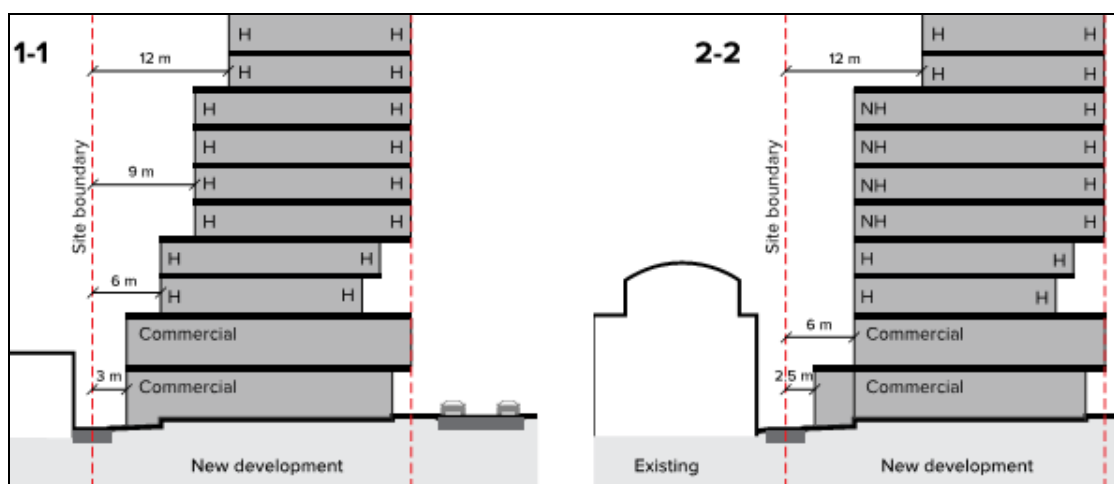


Figure 25. Building Separation Sections (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

3.7 ADJACENT ENVELOPE

The concept development maintains the potential of redeveloping adjoining sites in compliance with the ADG, as confirmed through modelling of the adjacent envelope.

The potential built form envelope for future development on the adjoining site is shown in blue in **Figures 26** and **27**.

It is noted that the building separation distances shown in **Figures 26** and **27** comply with the ADG.

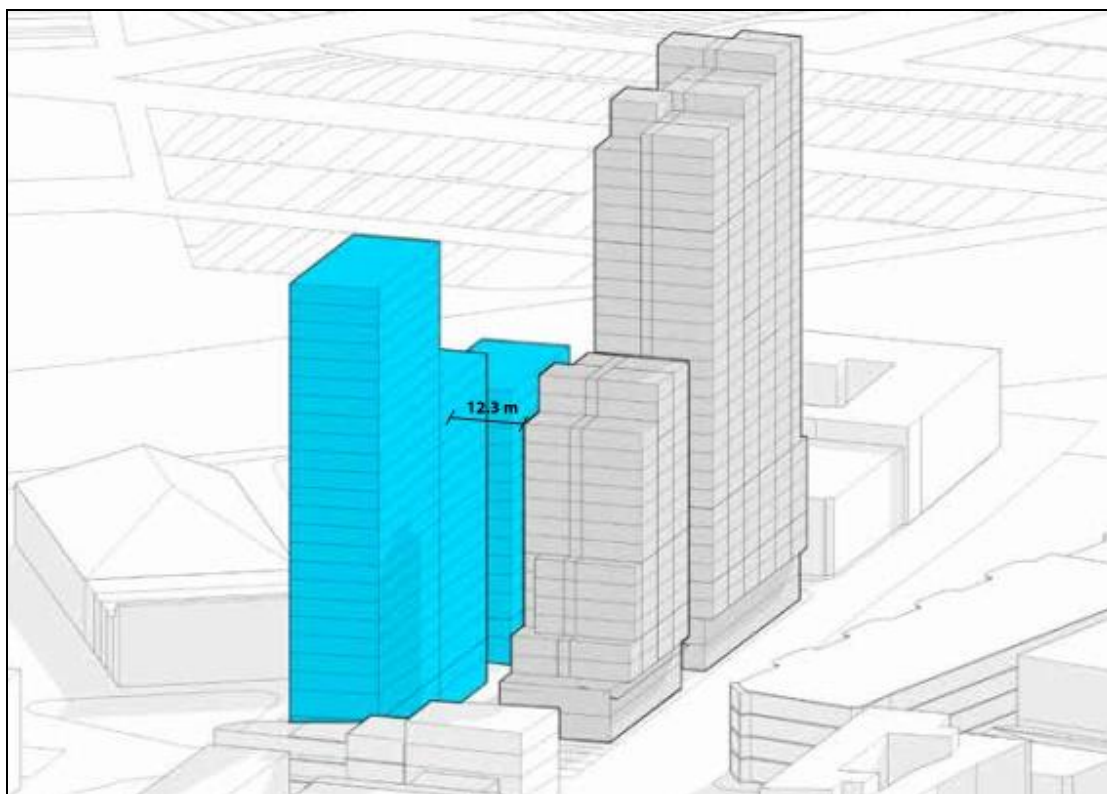


Figure 26. Adjacent Envelope Scenario (Roberts Day 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

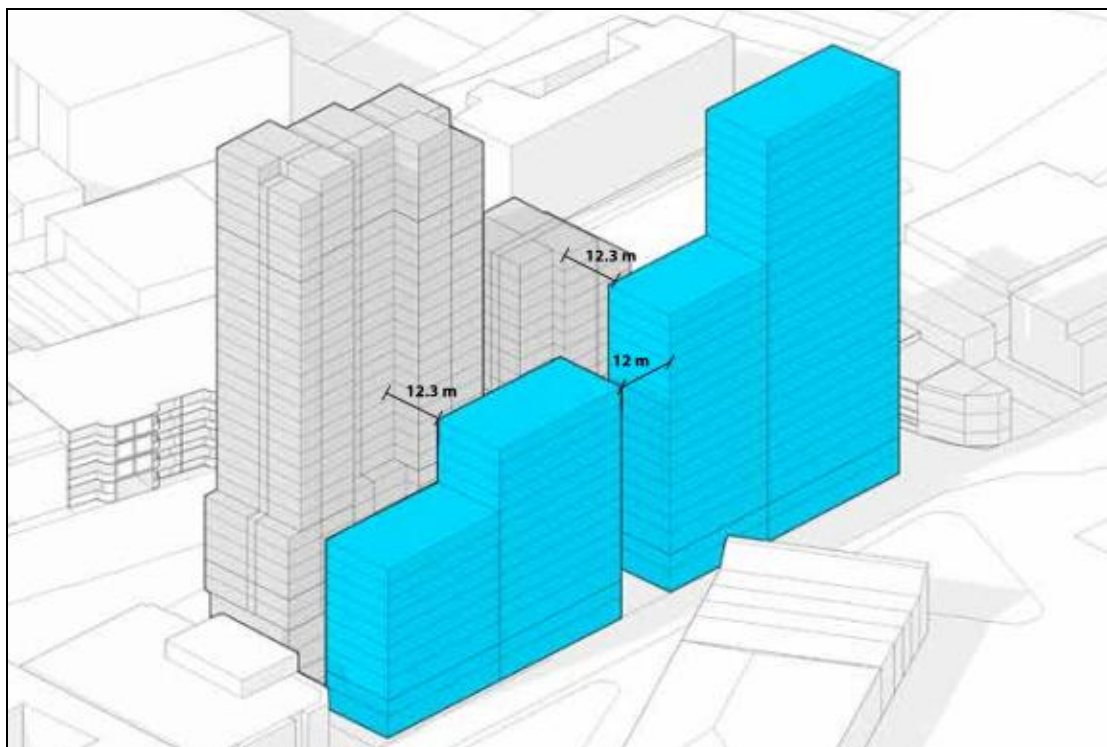


Figure 27. Adjacent Envelope Scenario (Roberts Day 2018)

3.8 VOLUNTARY PLANNING AGREEMENT

A VPA Offer has been prepared to ensure the proposal provides significant public benefit through the dedication of land for open space and a laneway, the provision of 5% of residential accommodation as affordable housing, and the provision of 813m² affordable business space (conceived as a start-up hub).

A copy of the VPA offer is included at **Appendix 10**. The finalisation of the VPA will form the subject of ongoing discussion with the City of Sydney Council.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART D JUSTIFICATION FOR PROPOSED LEP AMENDMENT

4.1 NEED FOR THE PLANNING PROPOSAL

The DPE document *A Guide to Preparing Planning Proposals* includes the following questions in describing the need for the Planning Proposal.

4.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The proposed amendment to SLEP2012 for additional building height and FSR to support mixed use development, aligns with a number of state, regional and local strategic studies and reports including:

4.1.1.1 NSW STATE PRIORITIES

Eighteen (18) state priorities are being actioned by the NSW Government to *make this state of ours even better*. The priorities have been categorised under the following headings:

- Strong budget and economy
- Building infrastructure
- Protecting the vulnerable
- Better services
- Safer communities

The proposed future provision of high density mixed use development on the site would achieve a number of priorities, as outlined below.

Improving Road Travel Reliability

As part of improving the overall efficiency and reliability of the state's transport network, the government has prioritised encouraging commuters to use public transport and to undertake off-peak travel more often. Combined with building extra road capacity, this would enable business and the community to move around the city with greater ease, reducing travel times, boosting productivity and reducing business costs.

The site is located in immediate proximity of key public transport nodes including Redfern station and the future Waterloo Metro station, and is therefore ideally situated for TOD. The site is also highly walkable, owing to the proximity of transit hubs, employment-generating commercial precincts, and major education and health infrastructure. New commercial and residential development on the site would therefore promote the use of active transport modes for future workers, residents and other site-users.

Increasing Housing Supply

By increasing housing supply, the government seeks for downward pressure to be placed on prices.

The delivery of 312 new dwellings, which would be enabled through this Planning Proposal, would contribute to increased housing supply in a strategic location with immediate access to transport infrastructure, employment, education establishments, community facilities and the other services required to meet the day-to-day needs of the future community. The proposal would therefore assist in meeting the housing needs of Sydney's existing and growing population.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

The proposal would also provide opportunities for affordable housing to be integrated in the precinct, thereby responding to the diverse needs of the community.

4.1.1.2A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney presents a strategy for accommodating Sydney's future population growth. It balances the need for more housing, but also cultivates the creation of strong and resilient communities within a highly-liveable city whilst protecting the natural environment and biodiversity. A Plan for Growing Sydney will provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth.

A Plan for Growing Sydney has set four (4) overarching goals as its vision for Sydney:

1. *A competitive economy with world class services and transport.*
2. *A city of housing choice, with homes that meet our needs and lifestyles.*
3. *A great place to live with communities that are strong, healthy and well connected.*
4. *A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.*

These goals are guided by three (3) key principles:

- *Principle 1: Increasing housing choice around all centres and transport gateways.*
- *Principle 2: Stronger economic development in strategic centres and transport gateways.*
- *Principle 3: Connecting centres with a networked transport system.*

The provision of mixed use development, additional building height and additional floor space on the site would achieve the goals, principles and strategic directions of A Plan for Growing Sydney by:

- Supporting the expansion of the Global Economic Corridor through new commercial floor space conducive to the needs of businesses (including 'start-ups') that would contribute to the growth of the designated knowledge hub in Redfern/Australian Technology Park.
- Concentrating growth within a strategic centre, including business, jobs and housing growth.
- Co-locating jobs and housing in a mixed use corridor to allow people to live close to where they work.
- Accelerating housing supply in an accessible location close to people's places of employment and other amenities to promote a high standard of living for Sydney's growing population and representing a sustainable model of accommodating growth.
- Catalyzing urban renewal in a designated urban renewal corridor and close to jobs, public transport and strategic centres.
- Providing new housing in close proximity of existing public transport and therefore representing TOD.
- Increasing housing supply and choice to meet growing demand for a range of different housing types.
- Aiding housing affordability through the delivery of additional housing incorporating a range of dwelling sizes.
- Facilitating infill development in a suitable location, accessible to transport corridors and employment uses.
- Revitalizing an existing suburb through new development that would inject life into the area at all times of the day and night and activate the street, lanes and public open spaces.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Further to the above, the site is located within the Central subregion (**Figure 28**) which performs a dominant economic, social and cultural role in Sydney. The Global Economic Corridor provides an agglomeration of high value industries and employment, whilst diverse activity centres, liveable communities, cultural institutions, public open spaces and iconic places, are key to making the subregion a desirable place to live, work and visit. Intensified housing development, urban renewal and employment are to be concentrated around Priority Precincts and along key public transport corridors, including Sydney Rapid Transit (referring to Sydney Metro).

The provision of mixed use development, additional building height and additional FSR on the site would align with the strategic directions of the Plan through the provision of new jobs and housing within the Sydney Rapid Transit corridor, which has been designated for urban renewal. High density mixed use development on the site would similarly complement the evolving knowledge hub within Australian Technology Park and the expansion of the CBD into the Central to Eveleigh Corridor.

Of key relevance, Central to Eveleigh is defined as an 'opportunity to transform the southern end of Sydney's CBD', a 'significant opportunity to meet the future needs of Sydney residents and businesses', and 'an urban regeneration opportunity that is unrivalled'. The corridor, inclusive of the subject site, is to be regenerated with medium and high the density office, education, retail, hospitality and residential development (including social and affordable housing). Future development is to provide more open space and create new spaces for residents and workers to enjoy.

The proposed development integrates commercial offices, studios, galleries, workspaces, affordable business space (conceived as a start-up hub), active retail and café spaces, a range of housing (including affordable housing), new public open spaces and activated streets/laneways, within a high density mixed use environment that would be defined by vibrancy, convenience, amenity, and diverse opportunities for residents, workers and visitors.

Demonstrated by the alignment of the proposal with key strategic directions, the provision of high density mixed use development on the site is highly commensurate with A Plan for Growing Sydney.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

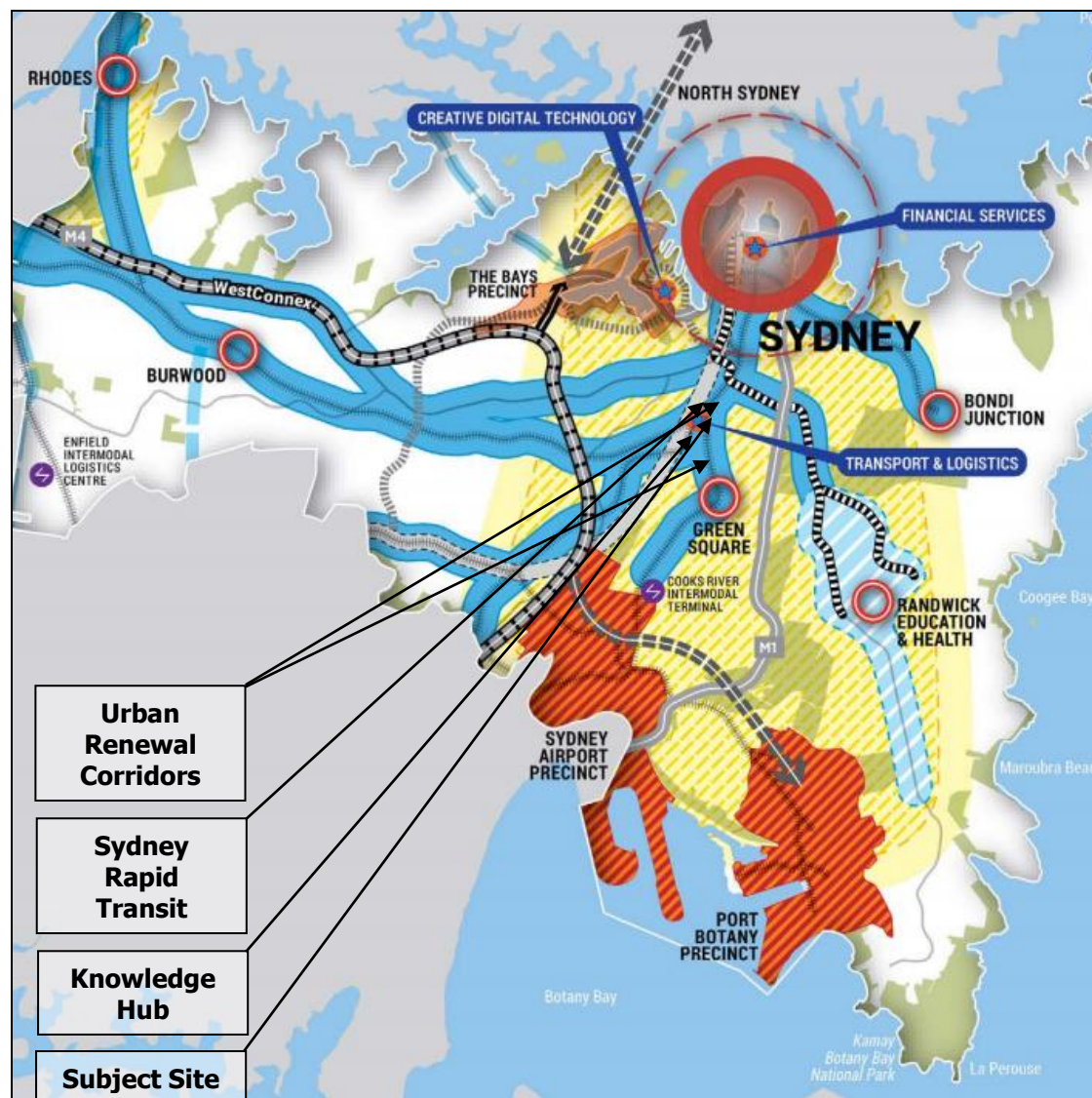


Figure 28. Central Subregion (A Plan for Growing Sydney 2014)

4.1.1.3 DIRECTIONS FOR A GREATER SYDNEY

Directions for a Greater Sydney outlines a set of common guiding principles that will help navigate the future of Greater Sydney and ensure it is a great place to live, for us and future generations.

The ten (10) key directions include:

- *A city supported by infrastructure*
- *A city for people*
- *Housing the city*
- *A city of great places*
- *Jobs and skills for the city*
- *A well connected city*
- *A city in its landscape*
- *An efficient city*
- *A resilient city*
- *A collaborative city*

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

In accordance with these directions, the future mixed use development (to be facilitated through the additional height and FSR proposed under this Planning Proposal), would provide new employment and housing in an established area that is serviced by major established and future infrastructure, including Redfern train station and Waterloo Metro station. Growth would therefore be aligned with existing and planned infrastructure, ensuring the new community would be supported by all infrastructure and services required to facilitate liveability, productivity and sustainability. In this regard, mixed use development on the site would contribute to the realisation of the '30 minute city'.

Through the delivery of 312 new dwellings, the proposal would also contribute to meeting supply targets, placing downward pressure on prices to improve affordability, and diversifying housing choice. A range of unit sizes as well as affordable housing units would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.

Through providing new housing and jobs in a vibrant mixed use environment that is supported by public transport and other key infrastructure, the proposal would assist in creating a community for people. The site would become a great place to live, work and socialise, being defined by design excellence, high quality public spaces, opportunities for planned and spontaneous social interaction, walkability and innovation.

4.1.1.4 GREATER SYDNEY REGION PLAN

The Greater Sydney Region Plan was prepared by the Greater Sydney Commission (GSC) and represents an amendment to A Plan for Growing Sydney. The Plan outlines a vision for Sydney to 2056, defined by three (3) cities; the Western Parkland City, the Central River City, and the Eastern Harbour City. The Plan seeks to foster productivity, liveability and sustainability, to be achieved through the '30 minute city' model by which more than 60% of people live within 30 minutes of jobs, education, health facilities and services. The creation of the 30 minute city is to be promoted through infrastructure investment and coordinated transport and land use planning.

The ten (10) directions underpinning the Plan emphasise infrastructure delivery, increasing housing choice, creating walkable neighbourhoods and 'great places to live', supporting economic growth, and promoting environmental sustainability. Overall, the Plan aims to accommodate an additional 725,000 dwellings and 817,000 new jobs.

Within the Plan, Central to Eveleigh (which incorporates Redfern and the subject site) is identified as an urban renewal corridor (refer **Figure 29**). Pursuant to the Plan, opportunities for urban renewal are to be recognized in conjunction with the location and capacity of existing and proposed infrastructure. Locational criteria proposed for urban renewal opportunities include:

- Alignment with infrastructure, including Sydney Metro.
- Accessibility to jobs.
- The feasibility of different types of housing development.
- Local area characteristics, including heritage and cultural elements, as well as natural features.
- The availability and expansion of social infrastructure.

With respect to facilitating economic activity within the Eastern Economic Corridor, the Plan identifies transport infrastructure projects as key to improving accessibility between the well-established economic agglomerations along and near the corridor. This improved accessibility will significantly increase the size of the labour market which can access the corridor by public transport, boosting productivity. The Plan acknowledges that the NSW Government is

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

directly facilitating economic activity in the Central to Eveleigh corridor through Urban Growth's 'Urban Transformation Strategy'.

In accordance with the identification of Redfern as part of the Central to Eveleigh urban renewal corridor designated for additional office development and housing delivery in conjunction with infrastructure development and jobs, the subject site presents opportunity for new development that contributes to the required jobs and housing growth. As well as adhering to the designation of Redfern within an urban renewal corridor, commercial premises and residential accommodation on the subject site would contribute to the creation of the 30 minute city owing to the immediate proximity of the site to jobs, services and transport infrastructure.

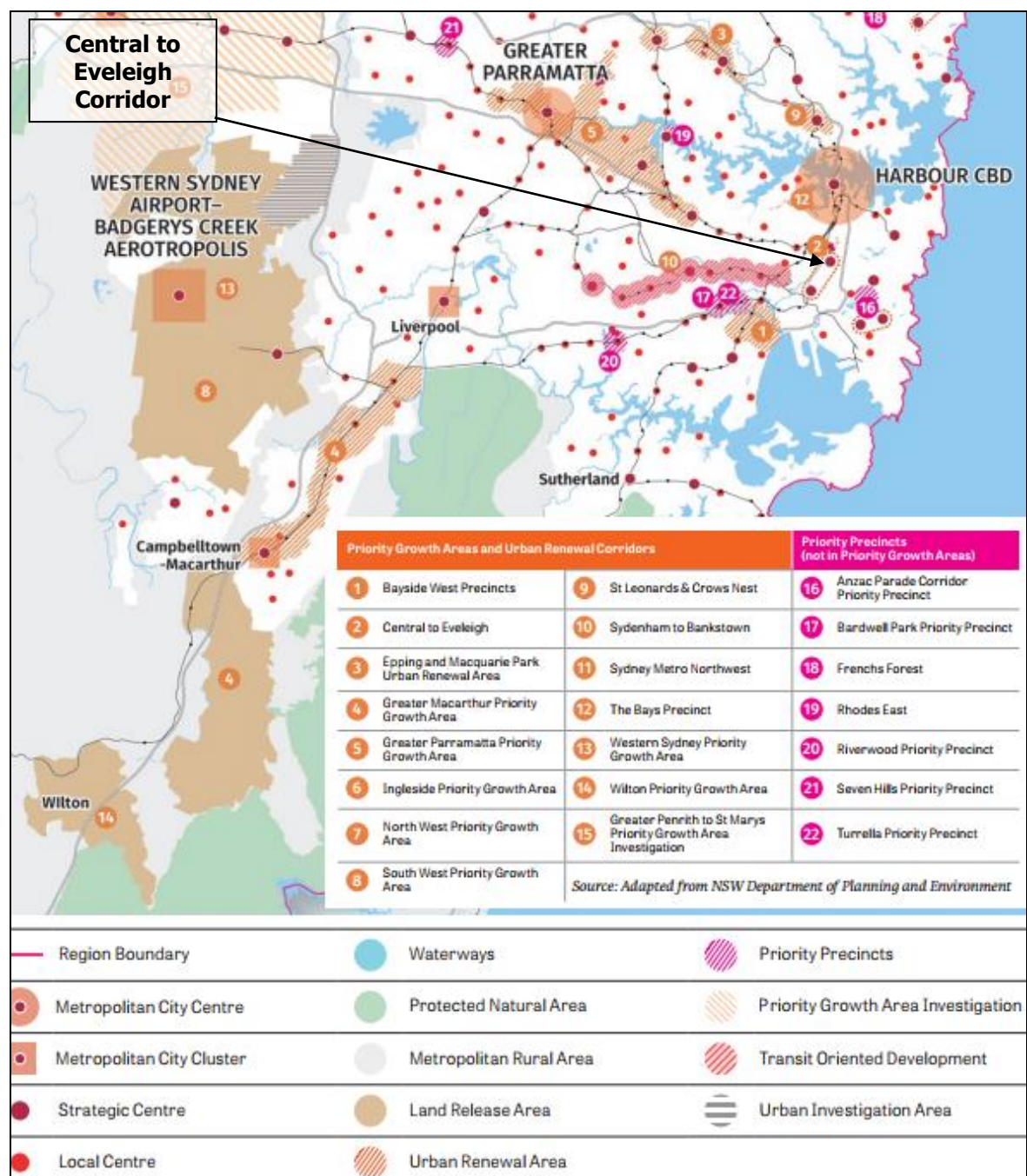


Figure 29. Priority Growth Areas and Urban Renewal Corridors (GSC 2017)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.1.1.5 EASTERN CITY DISTRICT PLAN

The Eastern City District Plan has been designed to provide a 'bridge' between regional and local level planning, and assist in the *implementation* of strategic envisioning.

Redfern is situated within the Eastern City District, which is envisioned as an 'economic powerhouse' complemented by liveable neighbourhoods and iconic places. Innovation, creative industries, knowledge-intensive jobs, economic development and a night-time economy, are to be supported. At the same time, urban renewal will deliver new housing close to transport and other infrastructure. Overall, 325,000 additional people and 624,000 dwelling are projected for the Eastern City district by 2036, and 662,000-732,000 jobs are targeted for the Harbour CBD by 2036.

The Plan establishes a number of priorities and actions to guide growth, development and change, relating to infrastructure & collaboration, liveability, productivity and sustainability. The priorities and actions relevant to the subject site, wider Redfern area, and proposed development are discussed as follows.

Infrastructure and Collaboration

Additional infrastructure and services are required to support Sydney's growth, and in turn infrastructure investment will contribute to the shape and connectivity of Greater Sydney. Planning for infrastructure requires coordination across all levels of government, industry and the community.

The Central to Eveleigh Urban Transformation Strategy is recognized as a collaborative process. The proposed development would support the transformation that is being pursued by various levels of government in conjunction with the major transport investment in Sydney Metro. The development would effectively align jobs and housing growth with new infrastructure, in accordance with Action 3.

Liveability Priorities

Additional housing in the right locations to improve diversity and affordability coordinated with infrastructure and services, is required in response to population growth and ageing. 157,500 additional homes will be required across the district by 2036. Urban renewal corridors, including Central to Eveleigh, are earmarked for concentrations of new housing. Key to liveable places are walkability, cycleability, a fine grain urban form and land use mix.

Being identified within the Central to Eveleigh Urban Renewal Corridor, the site is ideally located for new housing. By providing new residential accommodation in conjunction with ground and first floor commercial premises, mixed use development on the site would accommodate a wide range of people, as required by the Plan's priorities. Housing affordability and choice would therefore be improved through the injection of additional housing supply (including affordable housing) and dwelling diversity. The immediate proximity of the site to major public transport (Redfern station and future Waterloo Metro) as well as existing and future jobs, services and educational establishments, contributes to a highly walkable, cycleable and vibrant mixed use environment that would be further enhanced through new mixed use development.

Productivity Priorities

Growth in jobs, investment and business opportunities, is to be concentrated in the CBD, innovation corridors and strategic centres. Redfern specifically is noted as a key location for

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

start-ups, and is shown as part of Harbour CBD's innovation corridor (refer **Figure 30**). The integration of land use and transport is essential to realising the 30 minute city.

In accordance with the District Plan's conceptualisation of innovation corridors, the proposed mixed use development would deliver a range of affordable and flexible commercial spaces in a highly amenable and walkable precinct serviced by major public transport infrastructure. The co-location of new and diverse housing within mixed use development would integrate with the Plan's vision for the Innovation Corridor, and contribute to a vibrant working and living environment at all times of the day and night.

In particular, the dedication of 813m² affordable business floor space, conceived as a start-up hub, would provide the opportunity for approximately 50-55 local entrepreneurs to benefit from proximity to larger anchor uses (e.g. Google or Atlassian at ATP) and contribute to the City retaining talent as part of its global strategy. Within this strategic location, the economic benefits of this affordability model and its multiplier over a decade would be significant.

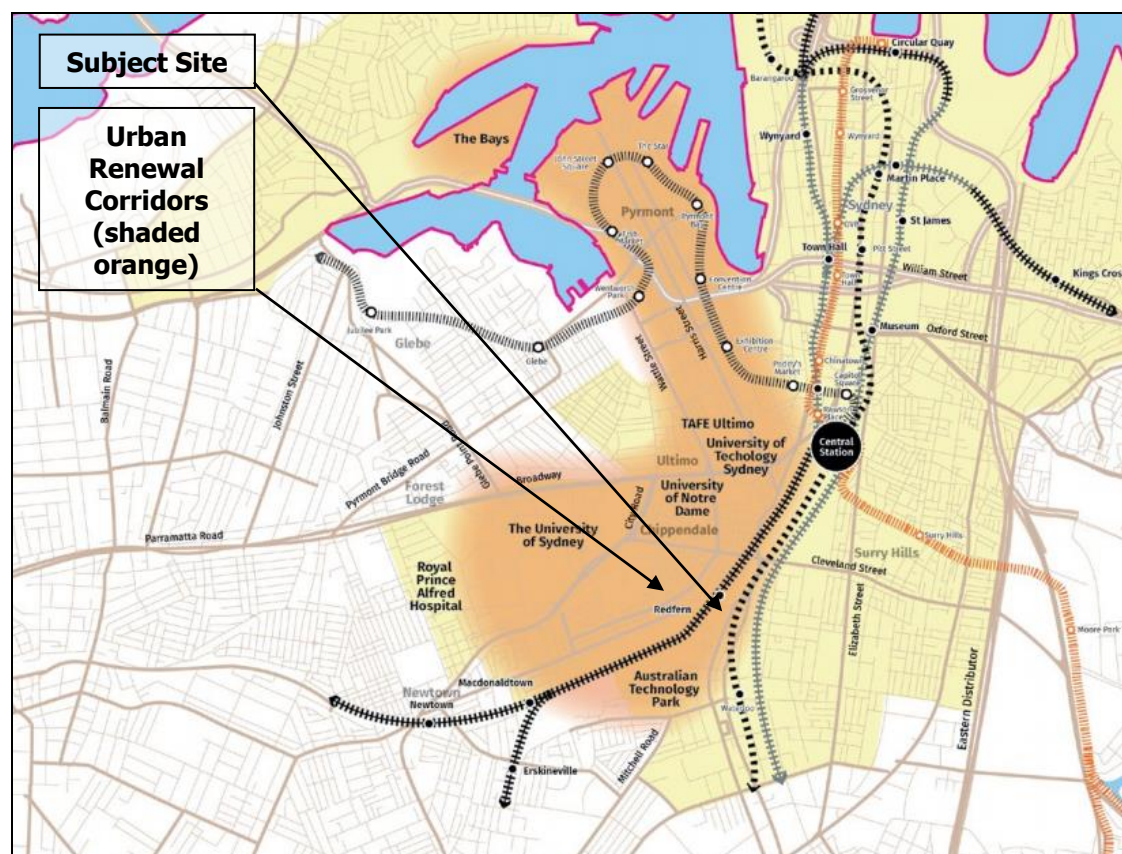


Figure 30. Harbour CBD and Innovation Corridors (GSC 2017)

Sustainability Priorities

As well as growing, landscapes, waterways and biodiversity should be protected and enhanced and efficiency and resilience promoted. Sustainability also requires the protection of open spaces and building design that promotes energy and water efficiency.

The redevelopment of the site for higher density mixed use development would augment the efficiency with which land is used through the diversification and densification of uses that are highly compatible with surrounding development and coordinated with supportive infrastructure. The redevelopment of land that has been historically developed would promote the creation of a better quality environment built on the principles of sustainability.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.1.1.6 SSYDNEY METRO

Sydney Metro encompasses 31 stations along a 66km route extending from Cudgegong Road in Sydney's north-west to Bankstown, via Macquarie Park, Chatswood, North Sydney Sydney CBD and Sydenham. Sydney Metro is being delivered in three (3) stages, being the Northwest (Stage 1 – currently under construction), City & Southwest (Stage 2 – early works underway) and West (Stage 3 – Planning phase ongoing). Whilst Stage 1 is scheduled to be opened in the first half of 2019, Stage 2 is scheduled for completion at the end of 2024.

The new metro station at Waterloo forms part of the Stage 2 link, being preceded along the line by stations at Pitt Street and Central and being followed by stations at Sydenham and Marrickville. From Waterloo, Sydney Metro will facilitate access to Central within 2 minutes and Martin Place within 6 minutes.

Waterloo station is an underground station, with entry facilitated via the corner of Raglan Street and Cope Street. The precise location of Waterloo Metro station is shown in **Figure 31**. From the subject site, Waterloo Metro station is accessible via a 350m walk.

The subject site is therefore strategically located in proximity of major new public transport infrastructure. The site falls within the radius for TOD and therefore the redevelopment of the site for higher density commercial and residential uses is considered to exhibit strategic merit.

It is also noted that Waterloo Metro station is intended to:

- Revitalise the Waterloo precinct
- Contribute to the NSW Government objective to transform Waterloo and Redfern
- Support the extension of the CBD
- Allow further development and expansion of the Global Economic Corridor between the Sydney CBD and Green Square
- Provides additional connectivity to Australian Technology Park and Redfern Station

High density mixed use development on the site would contribute to the revitalization of the Waterloo-Redfern corridor and support the southern extension of the CBD. This reconciles with the government's strategic objectives for Sydney Metro and Waterloo station specifically.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

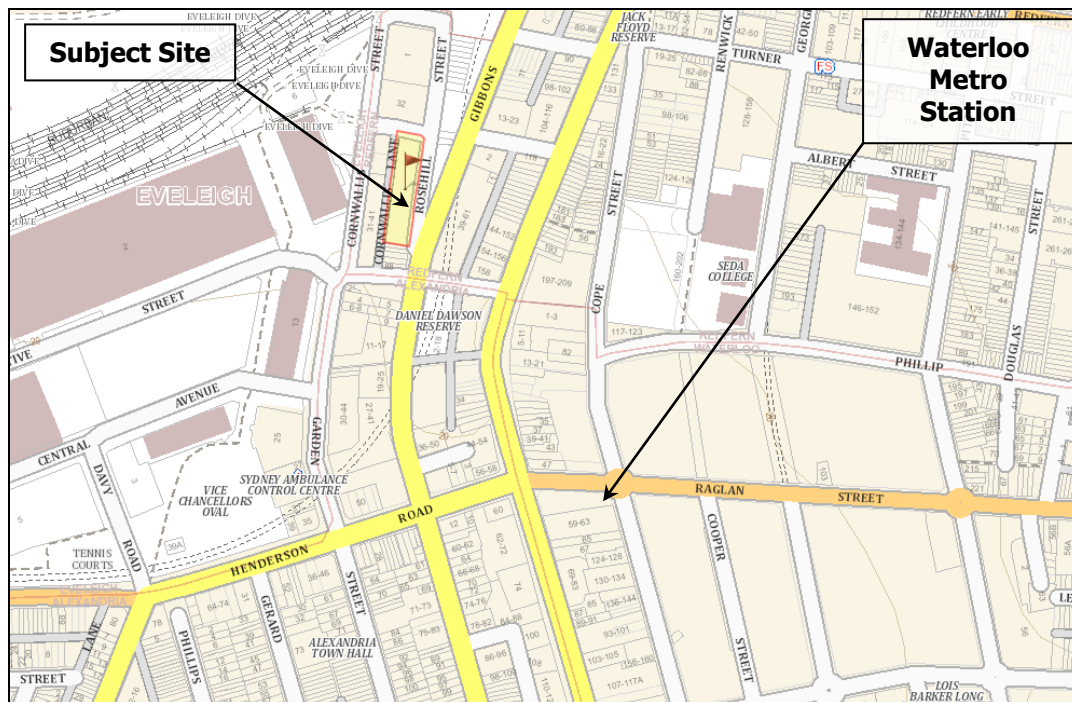


Figure 31. Location of Waterloo Metro Station (SIX Maps 2017)

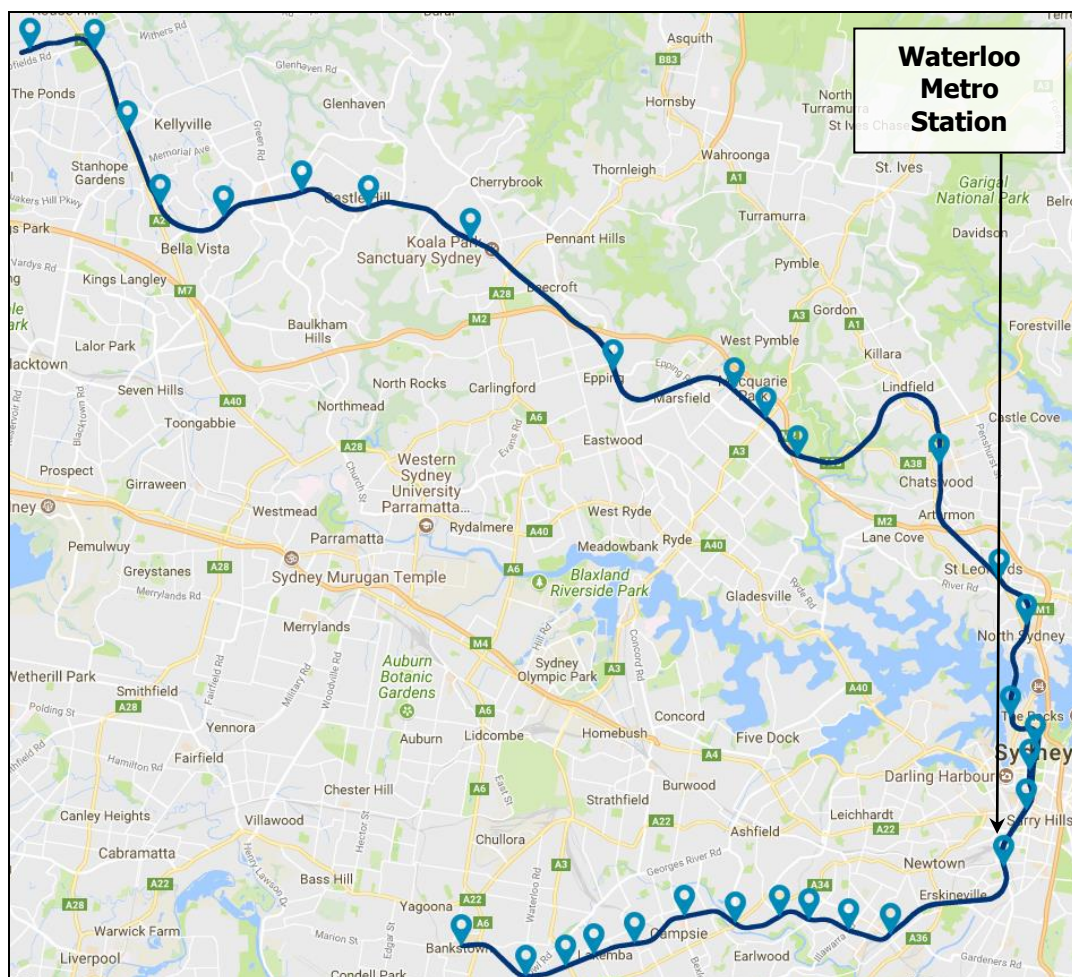


Figure 32. Sydney Metro (NSW Government 2017)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.1.1.7 CENTRAL TO EVELEIGH URBAN TRANSFORMATION

The Central to Eveleigh Urban Transformation Strategy was released by UrbanGrowth NSW in November 2016 to guide the renewal of 50ha of government-owned land in and around the rail corridor from Central to Erskineville stations. The Strategy focuses on the delivery of homes, supported by better public transport, new parks and community facilities.

The corridor has been divided into five (5) precincts; Redfern, North Eveleigh, Waterloo, South Eveleigh and Central. As the site is not government-owned land, it has however been excluded from the corridor (refer **Figure 33**).

Although not expressly included in the Strategy, the subject site presents significant opportunity to contribute to achieving the vision for the area owing to its immediate spatial proximity to the corridor. Mixed use high density development on the site contributes to the Strategy's '10 Key Moves' as follows:

- The development would contribute to the transformation of the area surrounding Redfern Station into a productive and liveable mixed use environment.
- The activation of streets and lanes as well as the delivery of new public open spaces, would enhance the pedestrian network and green network linking precincts within the corridor.
- The site would positively contribute to the new activity centre focused around the train stations, providing shops, cafes, public open spaces, jobs and housing to service the day-to-day needs of the community.
- New flexible commercial floor space and affordable business space would encourage the clustering of innovative and creative businesses and jobs.
- The concept scheme demonstrates how high density mixed use development on the site may effectively integrate with the new stations and surrounding neighbourhoods.
- Housing on the site would introduce supply, diversity and affordable offerings.

The site is therefore of strategic value in catalysing the desired transformation of the Central to Eveleigh Corridor.

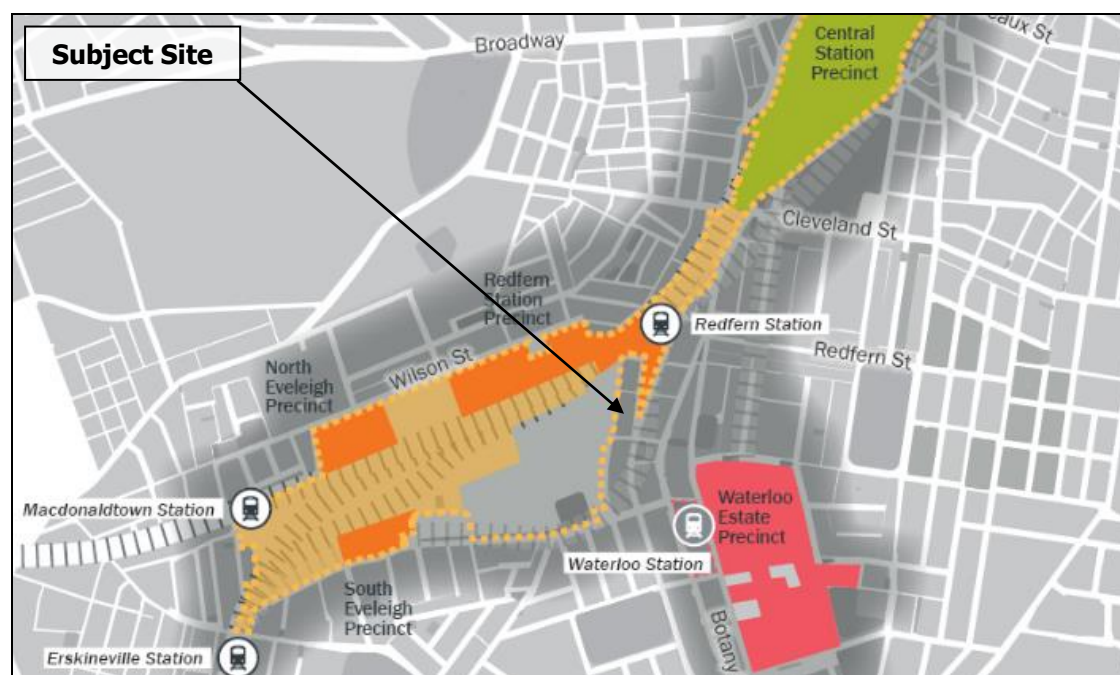


Figure 33. Central to Eveleigh Corridor (UrbanGrowth NSW 2016)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.1.1.8 WATERLOO URBAN RENEWAL PROJECT

The NSW Government's urban renewal program for Waterloo focuses on the delivery of new housing, shops, major transport services, community facilities and open spaces, across a 20ha precinct. Social housing within the Waterloo Estate will be redeveloped, as will be the Waterloo Metro Quarter (**Figure 34**). Masterplans for the Waterloo Estate will be integrated with master planning for the Metro Quarter (currently being undertaken by UrbanGrowth NSW).

Land shown shaded in **Figure 34** has been determined by DPE as being of State significance, and is currently being investigated for rezoning. Several private properties adjacent to the Waterloo Metro Quarter and the Waterloo Estate will also be considered as part of this rezoning investigation.

DPE and the City of Sydney Council will jointly assess the State Significant Precinct Proposal, which may then be translated into rezonings.

The subject site has been excluded from the investigation area, but is nonetheless considered to pose significant opportunity to catalyse the transformation of land that is so strategically-placed between Waterloo station and Redfern station.

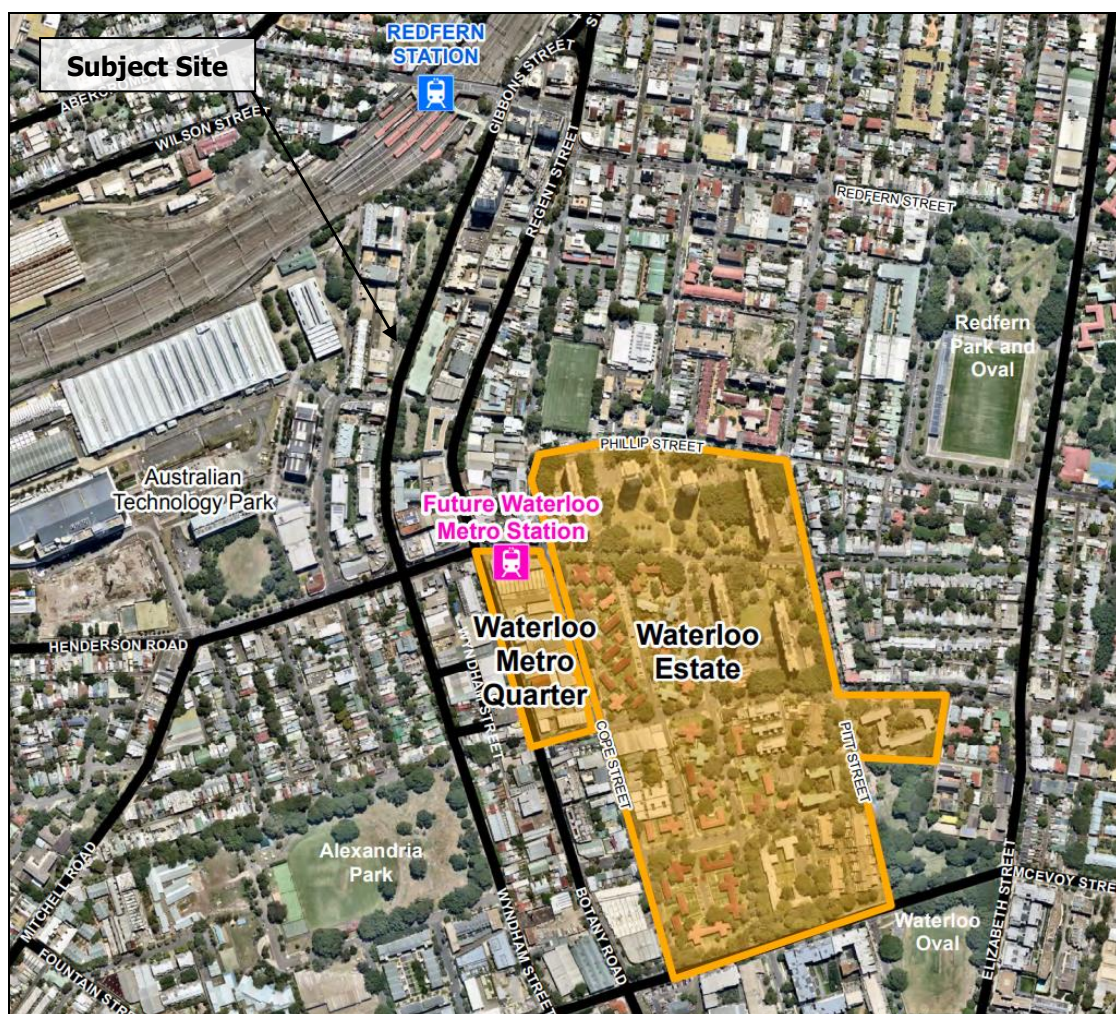


Figure 34. Nominated Waterloo State Significant Precinct (DPE 2017)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.1.2 IS THE PLANNING PROPOSAL THE BEST MEANS OF ACHIEVING THE OBJECTIVES OR INTENDED OUTCOMES OR IS THERE A BETTER WAY?

It is considered that the Planning Proposal is the best means of achieving the objectives stipulated in **Section 2.1** of this report.

The site is zoned for mixed use development, however current SLEP2012 height and FSR controls unjustifiably restrict the density of development that may be provided on the site. The proposed height and FSR controls would enable the creation of a high density mixed use precinct in close proximity of major public transport infrastructure, on land within a designated urban renewal corridor. The co-creation of employment opportunities and new housing is consistent with the '30 minute city' ideology and principles of TOD. By facilitating a higher density of employment premises and residential accommodation, the proposed SLEP2012 amendments would ensure the efficient and sustainable use of land in a strategic location, consistent with the objectives of strategic policy.

The proposed height and FSR are also generally consistent with high density development on other sites in proximity of Redfern train station, ensuring that the future development of the site would integrate with its built form context. New high density development within the urban renewal and transit corridors in the vicinity of Redfern station and Waterloo Metro station is also anticipated to define the future built form character of the surrounding context.

Therefore an amendment to SLEP2012 is required to permit the intended future provision of high density mixed use development on the site including commercial premises and residential accommodation.

4.1.3 IS THERE A NET COMMUNITY BENEFIT?

Net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

Table 5. Net Community Benefit		
Criteria	Y/N	Proposal
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 800m of a transit node)?	Y	The proposal is consistent with key elements of NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan and the Eastern City District Plan, as discussed above. Similarly, the proposal responds to the objectives for Sydney Metro at Waterloo, the Central to Eveleigh Urban Transformation Strategy and the Waterloo Urban Renewal Precinct.
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Y	The site is identified within the Global Economic Corridor, the Central to Eveleigh urban renewal corridor and the Sydney Rapid Transit Corridor, for the purposes of A Plan for Growing Sydney, the Greater Sydney Region Plan and the Eastern City District Plan. The site is also located in close proximity of the Redfern/Australian Technology Park knowledge hub, Sydney Metro at Waterloo, Urban Growth's Central to Eveleigh corridor and the Waterloo Urban Renewal Precinct. Consistent with strategic policy for urban renewal and

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

		transit corridors generally, and Central to Eveleigh, Sydney Metro and Waterloo specifically, the proposal would create opportunities for new jobs, additional housing and an activated public domain, combining to revitalise strategically-located land in immediate proximity of major public transport.
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	N	<p>Land surrounding the site is similarly zoned for mixed use development, and therefore the provision of mixed use development on the site reflects the desired future character established through the current SLEP2012 zoning. No changing land use expectations would therefore be prompted by the proposal, although the transformation of nearby land to provide new mixed use development may be catalysed, consistent with the current SLEP2012 B4 zoning.</p> <p>The additional height and FSR proposed for the site respond to the precedent established by surrounding sites, notably land to the north and north-east which comprises 14-18 storey development with 7:1 FSRs and other development in proximity of Redfern station exhibiting building heights of 18-24 storeys and FSRs up to 7.5:1.</p> <p>Key strategic policies guiding future development in Redfern/Waterloo also establish the desired future vision of high density mixed use development revitalising the area and efficiently using strategically-located land.</p> <p>Therefore it is considered that the precedence and impetus for changing expectations has already been established, prior to the preparation of this Planning Proposal.</p>
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	The area surrounding the site is not known to have been subject to any spot rezonings.
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Y	The proposed LEP amendments would preserve the mixed use zoning of the site whilst enabling a greater density of development to be provided. As demonstrated through the modelling in the Urban Design Report (Appendix 2), the mixed use concept for the site incorporates 2,745m ² commercial GFA. Flexible and affordable floor space would accommodate innovative, creative and knowledge-intensive industries, consistent with the District Plan's vision for innovation corridors (of which the site forms a part).

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

		<p>The proposal would therefore facilitate permanent job creation in an area that has been designated an 'innovation corridor' and 'knowledge hub'.</p> <p>Importantly, the dedication of 813m² affordable business floor space, conceived as a start-up hub, would provide the opportunity for approximately 50-55 local entrepreneurs to benefit from proximity to larger anchor uses (e.g. Google or Atlassian at ATP) and contribute to the City retaining talent as part of its global strategy. Within this strategic location, the economic benefits of this affordability model and its multiplier over a decade would be significant.</p>
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	The rezoning would enable high density residential development as a component of mixed use development and therefore would improve housing supply, choice and affordability through the provision of new housing (including affordable housing) in a highly accessible and walkable location.
Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future transport?	Y	The site is serviced by existing infrastructure that is capable of servicing higher density commercial and residential development. In particular the site is highly accessible by public transport, being within 300m walking distance of Redfern train station, 350m of the future Waterloo Metro station, 1.4km of Green Square station, 1.6km of Erskineville station and 1.8km of Central station. Bus stops situated along Gibbons Street and throughout surrounding streets provide connections through the Redfern suburb and to Sydney CBD, Marrickville, Eastgardens, Matraville and Port Botany via surrounding suburbs. Resulting from the proximity of the site to public transport, active transport networks and services, the site has been awarded a walkscore of 97 (walker's paradise, daily errands do not require a car) and a transit score of 100 (rider's paradise, world-class public transportation).
Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?	Y	By co-locating places of employment and living, the mixed use proposal would reduce the need to travel resulting in reduced road congestion, reduced pollution, reduced expenditure related to car travel and a higher standard of living for residents and workers.
Are there significant Government investments in infrastructure or services in the area where patronage	Y	Major government investment in Sydney Metro will see the site and surrounding area benefit from increased public transport service capacity. The government intends for Sydney Metro to catalyse and

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

will be affected by the proposal? If so, what is the expected impact?		support the revitalisation of the surrounding area, and the proposed LEP amendments would enable mixed use development on the site to leverage off the Waterloo Metro station.
Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	N	The proposal would not impact on land that the government has identified a need to protect or that is environmentally-constrained. Rather the proposal would facilitate development for commercial premises and residential accommodation on land that has been historically developed and forms part of an established urban area. Moreover, the site forms part of a designated urban renewal corridor and therefore its redevelopment reflects government intentions for the land.
Will the LEP be compatible/complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	<p>The envisaged high density mixed use development would be complementary to and supportive of surrounding land uses. In particular, the proposal responds to its surrounds by stepping down to provide an appropriate interface with more sensitive residential development to the south. As demonstrated in the Urban Design Report at Appendix 2, the design of the concept development significantly improves the amenity of the subject site, whilst protecting the amenity of surrounding sites including in relation to solar access, natural ventilation and privacy.</p> <p>The proposal also provides the opportunity to more effectively relate to the public domain through active commercial frontages at street level (including studios, galleries and workspaces), new public open spaces, the preservation of Gibbons Street Reserve, and the transformation of Cornwallis Lane into an activated pedestrian thoroughfare.</p>
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Y	The proposal would deliver 2,745m ² commercial GFA on the site, thereby providing opportunities for business investment, start-ups, innovation and sustained economic activity, as well providing amenity and convenience for future residents through the integration of retail on the site.
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	Whilst a stand-alone proposal in that it is for a spot rezoning, the site forms part of the Central to Eveleigh urban renewal corridor and the Sydney Rapid Transit Corridor, and is in close vicinity of the Redfern/Australian Technology Park knowledge hub, Sydney Metro at Waterloo, Urban Growth's Central to Eveleigh corridor and the Waterloo Urban Renewal Precinct. The proposal would support the important role and function of these strategic corridors designated as foci for growth and renewal.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	<p>The development would provide new opportunities for business investment and new housing to support the local, regional and national economies and populations. Given the benefits arising from the proposal for the local and wider workforce, resident population and business sector, it is considered to be completely in the public interest with no adverse impacts anticipated.</p> <p>Were the proposal not to proceed at this time a lower level of business activity would be attracted and the housing market would be characterised by less supply, less choice and lower affordability. The site would forgo its opportunity to contribute to the desired revitalisation of the corridor and would fail to respond to the government's major investment in Sydney Metro.</p>
--	---	---

4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

As previously discussed in **Section 4.1**, the Planning Proposal is consistent with NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan and the Eastern City District Plan. Similarly, the proposal responds to the objectives for Sydney Metro at Waterloo, the Central to Eveleigh Urban Transformation Strategy and the Waterloo Urban Renewal Precinct.

4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OF OTHER LOCAL STRATEGIC PLAN?

4.2.2.1 SUSTAINABLE SYDNEY 2030

Sustainable Sydney 2030 is the City of Sydney Council's adopted Community Strategic Plan and is underpinned by a Delivery Plan and Operational Plan. It expresses the community's vision and city's commitment to a green, global and connected city, in order to guide the sustainable development of the city.

The overarching aspirations for the city are:

- Green:
 - Green infrastructure to reduce energy, water and waste demands;
 - Green links;
 - A contained city with new housing close to jobs and integrated with transport, infrastructure and open space.
- Global:
 - Premium spaces for business;
 - High quality jobs;
 - Supporting services including childcare, social, cultural and recreational facilities;
 - Creativity, innovation, connectivity, collaboration.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- Connected:
 - Walking and cycling networks;
 - Upgraded transit networks;
 - Services concentrated in interconnected centres serving distinct villages;
 - Increased share of affordable housing;
 - Access to affordable community facilities and services.

By supporting high density mixed use development on the site, the proposal would contribute to the realisation of these aspirations for a green, global and connected city. Development on the site would present the opportunity to incorporate green infrastructure and enhance green linkages through the creation of new public open spaces and an activated public domain. New housing, including affordable housing, would be co-located with jobs and situated in short walking distance of major public transport infrastructure and other services. New commercial space would facilitate job creation, particularly related to creative industries, innovation, knowledge-intensive sectors and start-up businesses.

The proposal would also contribute to achieving many of the targets established by the plan. The delivery of 312 new dwellings on the site, including affordable housing, would contribute toward the attainment of the 138,000 dwelling target, inject additional housing diversity to accommodate a range of needs and increase the supply of affordable housing.

New commercial floor space, including affordable business space conceived as a 'start-up hub', would assist in meeting the target of 465,000 jobs for the city, and would particularly accommodate creative, innovation and knowledge-intensive sectors, as per the plan's priorities.

The co-location of new jobs and housing in immediate proximity of major public transport and other services, would encourage the new community to adopt public transport, walking and cycling, to move around and access their day-to-day needs. This would positively contribute to the target for 80% of trips to work to be by public transport, 50% trips in the city to be by walking and 10% of trips in the city to be by cycling, and would ensure that every resident on the site would live in short walking distance of local services.

By positively responding to the aspirations and targets as outlined above, the proposal would also align with the ten (10) strategic directions for Sustainable Sydney, being:

- *A globally competitive and innovative city*
- *A leading environmental performer*
- *Integrated transport for a connected city*
- *A city for pedestrians and cyclists*
- *A lively, engaging city centre*
- *Vibrant local communities and economies*
- *A cultural and creative city*
- *Housing for a diverse population*
- *Sustainable development, renewal and design*
- *Implementation through effective partnerships*

Through high density mixed use development, the proposal would revitalise the site, activate the surrounding public domain and enhance the overall amenity and vibrancy of the TOD precinct and corridor linking Redfern station and the future Waterloo Metro station. New spaces for businesses and innovation, new knowledge-intensive jobs, new dwellings, new affordable housing and new green spaces, all in immediate proximity of major public transport, would combine to contribute to economic, housing, social and environmental objectives.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as outlined in **Table 6**.

Table 6. State Environmental Planning Policies	
Policy	Details
SEPP 1 – Development Standards	The Planning Proposal will not contain provisions that contradict or hinder the application of the SEPP.
SEPP 55 – Remediation of Land	Appropriate environmental site investigations would be carried out in accordance with SEPP 55 at the DA phase.
SEPP 64 – Advertising and Signage	Any signage associated with future commercial premises on the site would be assessed and approved in accordance with SEPP 64.
SEPP 65 – Design Quality of Residential Flat Buildings	Future mixed-use development comprising residential accommodation would be designed in accordance with the requirements of SEPP 65 and the ADG. Preliminary assessment of the conceptual building envelopes has been undertaken within the Urban Design Report at Appendix 2 .
SEPP (Exempt and Complying Development Codes) 2008	The relevant approvals pathway for future development would be determined in light of the relevant LEP and Exempt and Complying Development Codes.
SEPP (Infrastructure) 2007	<p><i>State Environmental Planning Policy (Infrastructure) 2007</i> (SEPP Infrastructure) provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.</p> <p>Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.</p> <p>Details of the development of the site would be confirmed at the DA stage ensuing the rezoning of the land. Any requirement for the referral of the application to RMS would be confirmed at this stage.</p>

4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

The Planning Proposal has been assessed against the Section 9.1 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 7**.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Table 7. Section 9.1 Ministerial Directions

Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	The proposal will retain the B4 Mixed Use zoning of the site, and in accordance with the objectives and permissibility provisions of the B4 zone would support the co-location of commercial premises and residential accommodation. Consistent with the objectives of this Direction, the proposal would encourage employment generation through the delivery of 2,745m ² commercial GFA comprising flexible and affordable floor space and a designated 'start-up hub' to accommodate innovative, creative and knowledge-intensive industries. New jobs would be situated on a highly accessible site in close proximity of major public transport, a designated knowledge hub and urban renewal corridor envisaged for high density employment uses and housing.
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. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Not applicable.
2.4 Recreation Vehicle Areas	Not applicable.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent with the current B4 Mixed Use Zoning (which

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

	<p>will be retained), the proposal would support the provision of residential accommodation on the site, co-located with commercial premises within mixed use development. The delivery of 312 new dwellings (including affordable housing) would place downward pressure on prices to improve affordability and diversify housing choice. A range of unit sizes, as well as affordable housing units, would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.</p>
3.2 Caravan Park and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	<p>The site is located in immediate proximity of key public transport nodes including Redfern station and the future Waterloo Metro station, and is therefore ideally situated for TOD. The site is also highly walkable, owing to the proximity of transit hubs, employment-generating commercial precincts, and major education and health infrastructure. New commercial and residential development on the site would therefore promote the use of active transport modes for future workers, residents and other site-users.</p>
3.5 Development Near Licenced Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
4. Hazard and Risk	
4.1 Acid Sulfate Soils	<p>The site is identified as comprising Class 5 acid sulfate soils in the relevant SLEP2012 map. Relevant investigations would be carried out at the DA phase.</p>
4.2 Mine Subsidence/Unstable Land	<p>The site is not identified by the Section 10.7 Certificate as being affected by mine subsidence.</p>
4.3 Flood Prone Land	<p>The site is not identified by the Section 10.7 Certificate as being affected by flooding.</p>
4.4 Planning for Bushfire Protection	<p>The site is not identified by the Section 10.7 Certificate as being affected by bushfire.</p>

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

5. Regional Planning	
5.1 Implementation of Regional Strategies.	Not applicable.
5.2 Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
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) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
6. Local Plan Making	
6.1 Approval and Referral Requirements	Not applicable.
6.2 Reserving Land for Public Purposes	Not applicable.
6.3 Site Specific Provisions	No site-specific change of zoning or additional permitted uses are required to support the future development of the site. The proposed LEP amendments relate to development

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

	standards already applicable to the site, and would not introduce any additional development standards.
7. Metropolitan Planning	
7.1 Implementation of A Plan for Growing Sydney	The proposal's alignment with A Plan for Growing Sydney and other relevant strategic plans is demonstrated in Section 4.1 of this Planning Proposal report.
7.2 Implementation of Great Macarthur Land Release Investigation	Not applicable.

4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The site is located in an established urban area and has been historically developed for the purpose of commercial premises. As such the state of the site and its surrounds is highly disturbed with limited existing vegetation. The proposal would therefore not affect any critical habitats, populations or ecological communities.

4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

Design, Appearance and Public Domain

- An Urban Design Report has been prepared by Roberts Day and is provided at **Appendix 2**. Based on detailed site analysis and modelling, it is demonstrated that the proposed building height and FSR are highly appropriate for the site.
- The stepped design of the development would concentrate the tower element at the northern end of the site, in proximity of rail infrastructure and land designated for high rise buildings. Lower building elements would be provided adjacent to the southern boundary where existing and heritage-listed buildings exhibit lower densities. The design of the built form would therefore provide an effective height transition and a dynamic skyline.
- As detailed in the Urban Design Report, the concept design is capable of compliance with the key requirements of the ADG, including with respect to building setbacks, building depth, visual privacy, open space, solar access, parking, apartment size and mix, and apartment design. Whilst detailed assessment of a proposed development for the site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and adjoining sites. Similarly the potential of developing adjoining sites in accordance with the ADG has been demonstrated.
- The proposal would provide the opportunity to more effectively relate to the public domain through active commercial frontages at street level (including studios, galleries

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

and workspaces), new public open spaces, the preservation of Gibbons Street Reserve, and the transformation of Cornwallis Lane into an activated pedestrian thoroughfare. Ultimately this would contribute to a more attractive streetscape and vibrant street life.

Landscaping

- Further details of landscaping are provided in the Landscape Report prepared by Turf Design Studio and provided in **Appendix 3**. State and local government policies, as well as local and international precedent in laneway activation, laneway greening, street tree planting, and vertical and rooftop gardens, have guided the concept landscape scheme for the future development of the site.
- The widening and 'greening' of Cornwallis Lane would contribute to the fine grain and human scale of the streetscape and boost tree canopy cover. Terrace and rooftop gardens would also contribute to the urban tree canopy, providing positive outcomes for microclimate, biodiversity and habitat, whilst optimising opportunities for social interaction between residents.
- Species selection would align with the *City of Sydney Urban Forest Strategy*, adhering to the guidelines of having no more than 40% of one plant family, 30% of any one genus and 10% of any species. A diverse mix of drought tolerant species would ensure long-term resilience, minimise ongoing energy inputs for maintenance and have positive outcomes for biodiversity.

Solar Access

- Shadow modelling has been carried out and is detailed in the Urban Design Report at **Appendix 2**. As summarised below, the proposal would comply with City of Sydney's policies and the ADG with respect to the levels of solar access provided to the concept built form, adjacent buildings and public open spaces.
- Pursuant to City of Sydney's policy and the ADG, a minimum of 70% of apartments must receive more than two (2) hours of direct sunlight per day and a maximum of 15% may receive no sunlight on the winter solstice. Based on the concept built form, 253 apartments (81%) receive more than 2h sunlight, 13 apartments (4.3%) receive between 15min-2h sunlight, and 46 apartments (14.7%) do not receive direct sunlight between 9am-3pm. The concept development would thereby achieve compliance with the ADG.
- City of Sydney requires adjoining buildings to have appropriate access to direct sunlight on the winter solstice. Solar analysis demonstrates that the following impact will be incurred to adjoining residential buildings as a result of the concept development:
 - Cornwallis Street apartments- At least 2h solar access will be maintained for 100% of apartments. Compliance with the ADG would therefore be achieved.
 - Botany Road/Spencer Lane apartments- 4 additional apartments (of 30 total apartments) (13% of the development), will receive less than 2h sunlight as a result of the concept development. Currently, 3 apartments do not receive adequate sunlight. As 77% of apartments would maintain more than 2h of sunlight, compliance with the ADG would be achieved.
 - Gibbons Street apartments- At least 2h solar access will be maintained for 100% of apartments. Compliance with the ADG would therefore be achieved.
- City of Sydney requires that more than 50% of the area of adjacent or affected public open spaces receive at least four (4) hours sunlight. The concept development maintains 4h sunlight to a minimum of 50% of space within Gibbons Street Reserve, Daniel Dawson

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

Reserve and Australian Technology Park (ATP) on Locomotive Street, thereby complying with Council's policy. In overview, the following solar impact will be incurred to public open spaces as a result of the concept development:

- 100% of Gibbons Street Reserve receives at least 4h sunlight between 9am-3pm. The proposal would have 0% impact on sunlight to the open space.
 - 77% of Daniel Dawson Reserve receives at least 4h sunlight between 9am-3pm. The proposal would have a 19% impact on sunlight to the open space.
 - 50% of ATP along Locomotive Street receives at least 4h sunlight between 9am-3pm. The proposal would have a 6% impact on sunlight to the open space.
- Compliance with City of Sydney policies and the ADG would therefore be achieved for the concept development, adjoining properties and public open space. Full details of the assessment and Solar Access Diagrams are provided at **Appendix 2**.

Noise and Vibration

- A Noise Impact Assessment (**Appendix 6**) has been prepared by Acoustic Logic to assess noise and vibration impacting on the site, as well as noise generated from the future development.
- The predominant airborne noise source affecting the site is road traffic noise from Gibbons Street and to a lesser extent noise from railway corridor approximately 100m to the north-west. Based on City of Sydney's guidelines, the ISEPP and relevant Australian Standards, the internal noise level criteria for the development are summarised below.

Table 8. Criteria for Internal Noise Levels (Acoustic Logic 2018)

Space/Location	Time of Day	Criteria		
		SDCP2012	ISEPP	AS2017:2016
Residential (Living Areas)	Day (7am-10pm)	Doors/ Windows Closed- 45 dB(A)Leq(1h) Doors/ Windows Open- 55 dB(A)Leq(1h)	Doors/ Windows Closed- 40 dB(A)Leq(15h)	-
Residential (Bedrooms)	Night (10pm-7am)	Doors/ Windows Closed- 35 dB(A)Leq(1h) Doors/ Windows Open- 45 dB(A)Leq(1h)	Doors/ Windows Closed- 35 dB(A)Leq(9h)	-
Commercial	When in use	-	-	50 dB(A)Leq

- In order to comply with project noise objectives, treatments are recommended for glazed windows, doors, roof/ceiling, external walls and ventilation systems. A full assessment of treatments would be carried out at the future DA phase.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- Rail vibration was shown to comply for the proposed development, as summarised in the following table. Vibration Dose Values (VDV) criteria were derived from British and Australian Standards.

Table 9. Vibration Dose Values (Acoustic Logic 2018)

Time Period	Calculated VDV m/s^{1.75}	Criteria VDV m/s^{1.75}	Complies?
Day (7am-10pm)	0.05	0.2-0.4	Yes
Night (10pm-7am)	0.04	0.13	Yes

- In order to reduce structure borne noise impacts associated with rail-induced vibration and provide compliant internal noise levels within residential units, vibration isolation treatment would be required. Whilst recommendations are provided for indicative treatments, detailed isolation structures would be determined at the future DA phase.
- Primary noise generators associated with the proposed development would be mechanical plant and from the use of 'activity areas'. Noise emission goals are calculated in the Acoustic Report. Subject to further assessment at the future DA phase, the Acoustic Report considers that all plant can be satisfactorily attenuated to levels complying with noise emission criteria through appropriate location and (if necessary) standard acoustic treatments such as noise screens, enclosures, in-duct treatments (silencers/lined ducting) or similar.

Wind Environment

- A Pedestrian Wind Environment Study has been prepared by Windtech and is provided at **Appendix 7**. The assessment has modelled equivalent full-scale wind speeds at the site and provided a comparison against criteria for pedestrian comfort and safety, based on gust wind speeds and Gust-Equivalent Mean (GEM) wind speeds.
- The results of the study indicate that treatments are required for certain locations to achieve the desired wind speed criteria for pedestrian comfort and safety. The treatments which have been deemed most appropriate are summarised as follows:
 - Ground Level:
 - Inclusion of densely foliating evergreen planters capable of growing up to a height of 2m at the northwest corner of the North Tower along Margaret Street and along the west wall of both towers near Cornwallis Lane.
 - Inclusion of a louvered trellis or operable awning that encompasses the central area up to the heights and extents of the awnings at Rosehill Street and Cornwallis Lane.
 - Inclusion of full height porous screens in the communal area between the two towers, as well as on the northern end of the North Tower near Margaret Street.
 - North Tower:
 - Inclusion of 1.8m high impermeable parapets/screens along several balconies/terraces, for Levels 3, 9, 29 and 30.
 - Inclusion of 1.8m high impermeable partitions for Level 3.
 - Retention of the impermeable parapets along the western balconies of Levels 9, 13, 16, 21, 25 and 29.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- South Tower:
 - Inclusion of 1.8m high impermeable parapets/screens along several balconies/terraces, for Levels 3, 5 and 16.
 - Inclusion of 1.8m high impermeable partitions for Level 5.
 - Inclusion of a full height screen along the south-west edge of the Level 3 balcony.
 - Inclusion of 3m high impermeable screens along the perimeter of the terrace area, located on Level 18.
- The Wind Study concludes that, *with the inclusion of these treatments to the final design, it is expected that wind conditions for all outdoor trafficable areas within and around the proposed development will be suitable for their intended uses.*

Traffic and Parking

- A Traffic Impact Assessment Report has been prepared by Ason Group and is provided at **Appendix 4**.
- The site immediately adjoins the Redfern Station Precinct of the Redfern Waterloo Growth Centre, which is identified for improved walking and cycling amenities and a new southern concourse for Redfern Station to improve access and augment capacity. Waterloo Metro Station will be within 400m of the site and will be complemented by improved pedestrian and cycling infrastructure. The site is also serviced by existing Redfern Station, bus routes, footpaths and a comprehensive cycle network. Existing and future public transport would encourage residents and employees to use active modes of transport.
- Pursuant to the SLEP2012, the concept development would be subject to providing a maximum of 246 car parking spaces. The 243 spaces incorporated in the concept design therefore complies with the SLEP2012. Parking for other types of vehicles and bicycles would be further assessed at the future DA stage.
- Trip generation for the existing and future development on the site are summarised as follows:

Table 10. Traffic Generation

Scenario	Morning		Evening	
	In	Out	In	Out
Existing	12	3	2	9
Future	16	48	39	13
Net Traffic Generation	4	45	37	4

- SIDRA Intersection Analysis demonstrates that existing intersection performance is good (LOS A or B) for the intersections of Street / Boundary Street / Gibbons Street and Gibbons Street / Lawson Street. The intersection of Wyndham Street / Henderson Road operates at capacity with long queues (LOS F). Traffic volumes arising from the development would result in only minor increases in DOS and AVD, and LOS would remain unchanged for the intersection of Gibbons Street / Lawson Street. The intersection of Wyndham Street / Boundary Street / Gibbons Street is estimated to operate at LOS B during the morning peak period, within acceptable limits of intersection performance. While the intersection of Henderson Street / Wyndham Street currently underperforms, it would continue to operate in a consistent manner.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- In summary, the traffic impact analysis concludes that the net traffic generation volumes are of a sufficiently low order that once distributed on to the surrounding road network, the impacts of these volumes at the key intersections would be negligible and the intersections would operate as currently occurs.
- Site access, car park and loading areas would be designed to comply with relevant Australian Standards.
- The Traffic Impact Assessment Report concludes that *the proposal is supportable on traffic planning grounds and will not result in any adverse impacts on the surrounding road network or the availability of on-street parking.*

Environmentally Sustainable Development

- An Environmental Sustainable Design (ESD) Strategy Report (**Appendix 8**) has been prepared by Cundall to detail how ESD principles would be incorporated in the design, construction and operation of the future development.
- Sustainability initiatives include:
 - Load reduction, passive design, energy-efficient building services and smart controls to reduce energy consumption;
 - Water-efficient fittings, fixtures and appliances to minimise water demand;
 - Selection of non-toxic finishes to improve Indoor Environmental Quality (IEQ);
 - Promotion of active living through design and education strategies, including recreational and end-of-trip facilities;
 - Environmental and construction waste management during demolition and construction;
 - Enhanced commissioning and tuning practices to translate design intent into actual performance;
 - Improved ecological value through green roofs and terrace gardens;
 - Provision of diverse apartment sizes and types to support a range of demographics; and
 - Activation of the rear lane to support commercial activities and offer additional amenities.
- The ESD Report confirms that the development would be designed in accordance with best practice ESD principles, and comply with SDCP2012, BASIX (residential component) and Section J of the National Construction Code (NCC) (commercial component).
- A summary of the ESD measures incorporated in the macro-design of the concept development are shown in **Figure 35** and summarised as follows:
 - Seasonal light control;
 - Strong wind mitigation;
 - Humidity release;
 - Oxygen production;
 - Dust and smog capture;
 - Noise reduction; and
 - Direct sun protection.

Further details are provided in the Urban Design Report at **Appendix 2**.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

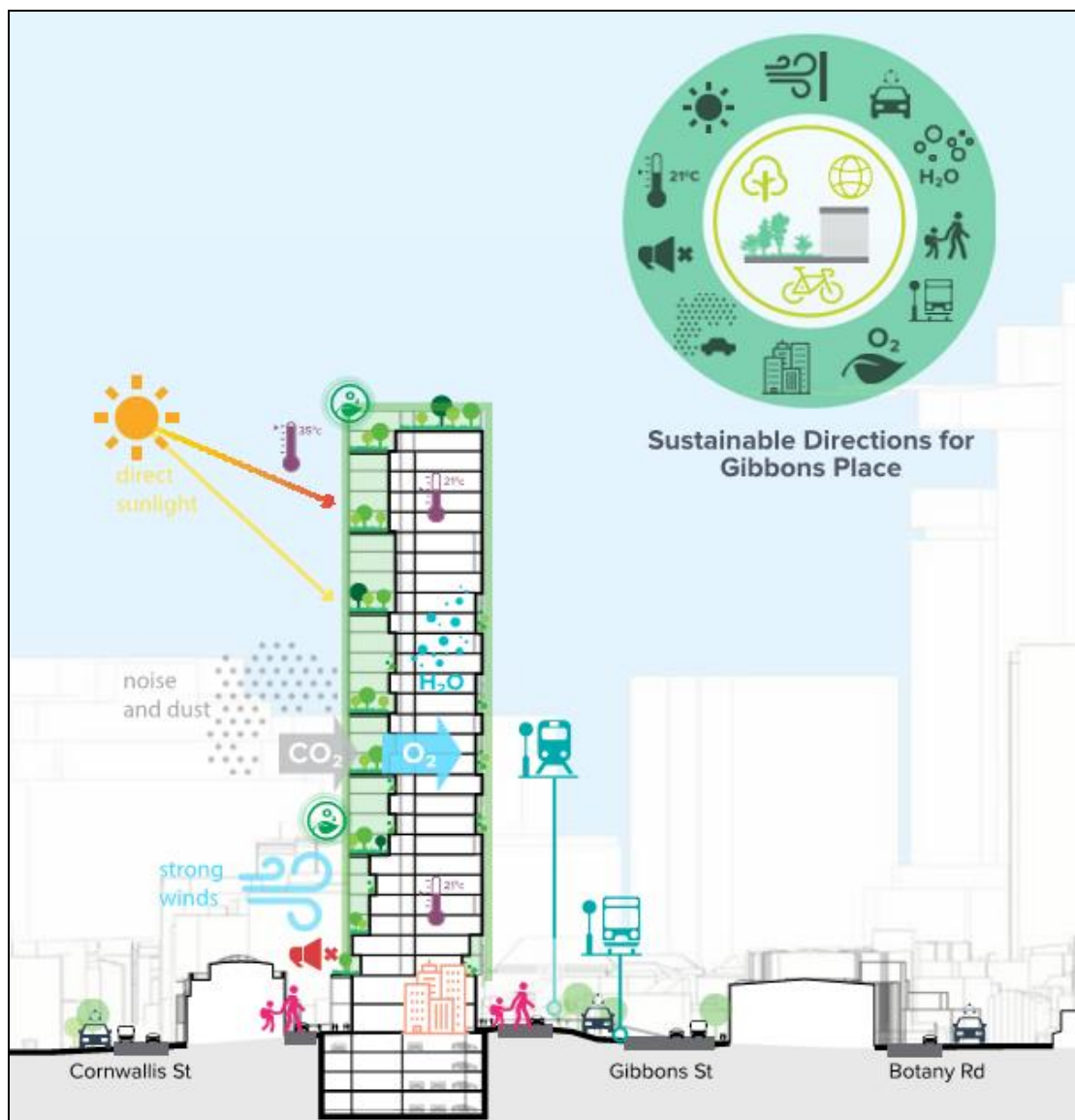


Figure 35. ESD Strategy (Roberts Day 2018)

Heritage

- The site is not identified as a heritage item or heritage conservation area and therefore future development would not directly impact on any heritage fabric.
- The design of the development, as shown in the Urban Design Report at **Appendix 2**, responds to nearby heritage by providing a lower-rise interface to the south.

Public Art

- A Public Art Strategy has been prepared by UAP in accordance with the City of Sydney Public Art Strategy, and is provided at **Appendix 9**. The Strategy aims to ensure that the integration of public art in the design of the future development is appropriately considered.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- Opportunities for public art within the future development include integrated imaginings, sculptural wonders and urban elements. The final selection of artworks would respond to conditions of consent for a future DA and would be carried out via a competitive process.
- At the future DA and post-DA stage, the planning, design and construction processes outlined in the Strategy would be followed. The selection, siting and installation of artwork would have consideration for sustainability and maintenance, including with respect to materials selection, microclimatic effects, construction methods and lifespan.

Contamination, Civil Engineering and Geotech

- The site is located in an established urban area and has been historically developed for commercial premises. Appropriate environmental site investigations would be carried out in accordance with SEPP 55 at the DA phase.
- Detailed civil engineering and geotechnical assessment would be prepared at the DA stage.

Construction Management

- To ensure the carrying out of future development protects the quality of the environment and amenity of adjoining properties, a Construction Environmental Management Plan would be developed prior to the commencement of works.

Waste Management

- A comprehensive Waste Management Plan would be prepared as part of a future DA, including measures to minimise waste generation and manage waste/recyclables through all phases of the development.

4.3.3 HOW HAS THE PLANNING PROPOSAL ADEQUATELY ADDRESSED SOCIAL AND ECONOMIC EFFECTS?

The social and economic effects of the proposal have been considered within the Economic Benefit and Community Needs Assessment at **Appendix 5**.

Based on the proposal supporting the concept development with a new residential population of 624 people and the maintenance of a 240-person workforce on the site, the needs assessment has generated the following demand estimates:

- Childcare – new demand for 16 childcare centre places (noting that demand generated by the on-site workforce has not been counted as this demand would be *existing*). The demand is considered to be met by existing and planned childcare facilities in the area.
- Open space – the increased residential population of the future development would generate additional demand for open space. Improvements or dedication of local open space are an identified need in the local community. It is noteworthy though that the future development meets the City of Sydney's requirements for all residential dwellings to be within 400m from local open space, as the site is located adjacent to Gibbons Reserve.
- Affordable housing – the City of Sydney is identified as an area where need for affordable housing exists, and in response a target for 7.5% of all housing to be social housing and 7.5% to be affordable housing, has been established. The site is

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

located close to key infrastructure, economic opportunities and amenity of Redfern village, and is considered an appropriate location for affordable housing.

- Health – given the availability of existing health facilities, new health infrastructure is not considered a requirement for the future development.
- Education – given the new school developments already being carried out in Alexandria, Green Square and Surry Hills, new education infrastructure is not considered a requirement for the future development.

Based on the needs assessment summarised above, the report provides the following recommendations for a VPA to support the proposed LEP amendments and future development:

- Embellishment or dedication of local open space should be considered as part of any planning agreement for the proposed development.
- Creative infrastructure that could be provided may include temporary spaces or long-term opportunities for creatives, artists and makers to live, work, exhibit, sell and learn locally.
- Cultural infrastructure is appropriate to consider as part any planning agreement for the proposed development.
- Affordable housing is appropriate to consider as part of any planning agreement for the proposed development.

Additional to the above needs assessment for social infrastructure, the Economic Benefits and Community Needs Assessment considers the potential for the proposal to positively contribute to the local economy and employment-generation.

The existing facilities on the site currently provide 3,204m² NLA, accommodating four (4) businesses employing a total of 240 workers. This results in an average employment density of 13.3 jobs/m². The existing businesses include professional, scientific and creative industries.

In order to retain the current number of jobs on the site (being 240 jobs), the average employment density for the concept development would need to be increased to 11.4 jobs/m², given that the area of commercial floor space provided by the concept development is 2,745m² NLA (being less than the current NLA). The report notes that this employment density is already consistent with the operations of the two (2) largest businesses on the site, and would be achievable in a commercial office configuration.

The ability of the site to attract and retain businesses is upheld by the assessment on the following grounds:

- Proximity to Redfern train station providing excellent public transport connectivity.
- Strong projected employment growth locally driving demand for space, with a focus on creative, digital and education and knowledge sectors. This will be reinforced by the emerging role of the Australian Technology Park as a major employment node.
- Historically low office vacancy levels in Sydney CBD means that areas such as Redfern will be attractive for small-to-medium enterprises and business start-ups.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- Redfern is located close to the Creative Industry, Education and Knowledge Industry and Digital Industries hubs around Chippendale-Camperdown, Surry Hills and The Australian Technology Park. The subject site located within the Digital Industries Cluster (refer **Figure 36**).
- The City of Sydney's Economic Development Strategy supports strengthening these clusters.

As well as the viability of commercial premises on the site being reinforced by the City of Sydney's Economic Development Strategy, the future development would reciprocally make a positive contribution to the Strategy. The concept development would provide suitable commercial floor space to accommodate businesses in the creative, education, knowledge and digital industries, and relatedly to foster jobs growth in these industries.

Subject to the future development incorporating competitively-priced office space, it would present a viable option for small-to-medium enterprises and business start-ups. Alternatively, the site could also cater to this market by providing flexible workspace.

The economic assessment concludes that:

- The commercial floor space within the future development is capable of being configured to accommodate the same number of jobs on-site as existing (being 240 jobs).
- The site benefits from excellent connectivity and is well positioned to contribute to emerging Creative Industry, Education and Knowledge Industry and Digital Industry clusters on the edge of the CBD.
- By providing affordable or flexible floor space, the site may remain attractive to small-medium enterprises and business start-ups.

In response to the findings and recommendations of the economic assessment, it is proposed to incorporate the provision of 813m² affordable business space as a component of the VPA. The affordable business floor space, conceived as a start-up hub, would provide the opportunity for approximately 50-55 local entrepreneurs to benefit from proximity to larger anchor uses (e.g. Google or Atlassian at ATP) and contribute to the City retaining talent as part of its global strategy. Within this strategic location, the economic benefits of this affordability model and its multiplier over a decade would be significant.

Accordingly, the Planning Proposal has adequately considered social and economic factors.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)



Figure 36. Industry Clusters – City of Sydney Economic Development Strategy (Urbis 2018)

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

4.4 STATE AND COMMONWEALTH INTERESTS

4.4.1 IS THERE ADEQUATE PUBLIC INFRASTRUCTURE FOR THE PLANNING PROPOSAL?

The site is serviced by existing infrastructure that is capable of servicing higher density commercial and residential development. In particular the site is highly accessible by public transport, being within 300m walking distance of Redfern train station, 350m of the future Waterloo Metro station, 1.4km of Green Square station, 1.6km of Erskineville station and 1.8km of Central station. Bus stops situated along Gibbons Street and throughout surrounding streets provide connections through the Redfern suburb and to Sydney CBD, Marrickville, Eastgardens, Matraville and Port Botany via surrounding suburbs. Resulting from the proximity of the site to public transport, active transport networks and services, the site has been awarded a walkscore of 97 (walker's paradise, daily errands do not require a car) and a transit score of 100 (rider's paradise, world-class public transportation).

As detailed in the Traffic Impact Assessment Report (**Appendix 3**), *the proposal is supportable on traffic planning grounds and will not result in any adverse impacts on the surrounding road network or the availability of on-street parking*. The net traffic generation volumes are of a sufficiently low order that once distributed on to the surrounding road network, the impacts of these volumes at the key intersections would be negligible and the intersections would operate as currently occurs.

As described in **Section 4.3.3** above, based on the Community Needs Assessment (**Appendix 5**) the future population resulting from the concept development would be adequately serviced by existing and planned childcare facilities, health facilities and education facilities in the surrounding area. Given the pre-existing need within the City of Sydney for additional open space and affordable housing, the assessment recommends that open space and affordable housing would form appropriate considerations as part of a VPA.

In response, and as detailed in **Section 3.8** of this report and **Appendix 10**, a VPA Offer has been prepared to ensure the proposal provides significant public benefit through the dedication of land for open space and a laneway, the provision of 5% of residential accommodation as affordable housing, and the provision of 813m² affordable business space (conceived as a start-up hub).

4.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?

A Pre Lodgement Meeting was held with DPE on 5 March 2018, having been coordinated by Malcolm McDonald and attended by Luke Johnson.

At the meeting DPE advised that the site is situated within the boundary of the draft Land Use and Infrastructure Plan (LUIP) for the Botany Road corridor, and that the Planning Proposal was consistent with the draft LUIP.

Given the early stage of the draft LUIP, it was agreed that a VPA should be negotiated with City of Sydney Council, and that this would provide the satisfactory arrangements. No State infrastructure Contribution (SIC) Levy would be applicable.

DPE advised that it was not necessary for them to view the Planning Proposal prior to lodgement, and would participate as part of the Planning East Team in due course.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

No consultation with Commonwealth authorities has been carried out to date.

It is acknowledged that City of Sydney Council would consult with relevant public authorities following the Gateway determination.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART E COMMUNITY CONSULTATION

Schedule 1 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination. It is anticipated that the Planning Proposal would be required to be publicly exhibited for 28 days in accordance with the requirements of DPE guidelines '*A guide to preparing local environmental plans*'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the City of Sydney Council website.
- Written correspondence to adjoining and surrounding landowners.

The Gateway determination, Planning Proposal and specialist studies would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

PART F CONCLUSION

The proposed amendment to SLEP2012 to include additional building height and FSR would support the future development of the site for mixed use development comprising commercial and residential components. The provision of mixed use development is consistent with the current B4 Mixed Use zoning of the site, and the increased density of development sought to be provided reflects the zone objectives as well as key strategic policies.

In summary, the proposed SLEP2012 amendment for additional building height and FSR is appropriate for the following reasons:

- The proposed SLEP2012 amendment would enable the future development of the site for high density mixed use development including commercial premises and residential accommodation. Whilst the envisaged range of uses are already permitted with consent in the B4 Mixed Use zone, additional building height and FSR are required to support the viability of creating a vibrant mixed use precinct on the site.
- Given the site's strategic location in proximity of an extensive public transport network (including Redfern train station and the planned Waterloo Metro station), it is ideally located in accordance with the principles of TOD. Therefore, the site provides valuable opportunity to contribute to a sustainable, transit-oriented community providing a high standard of living for residents and workers.
- The site is also located within the Global Economic Corridor, the Central to Eveleigh urban renewal corridor and the Sydney Rapid Transit Corridor, and is in close vicinity of the Redfern/Australian Technology Park knowledge hub, Sydney Metro at Waterloo, Urban Growth's Central to Eveleigh corridor and the Waterloo Urban Renewal Precinct. These precincts and corridors have been designated for intensified housing development, urban renewal and new jobs in knowledge-intensive sectors, which the proposal would support.
- The proposal is consistent with the state, regional and local strategic plans. Specifically, the proposal is consistent with the NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan, the Eastern City District Plan, the strategic objectives for Sydney Metro, the Central to Eveleigh Urban Transformation Strategy, the Waterloo Urban Renewal Project and Sustainable Sydney 2030, particularly as they relate to providing additional housing in accessible locations, growing the economy, revitalising urban renewal corridors, coordinating land uses with transport and other infrastructure, and concentrating growth in designated strategic centres/corridors.
- New housing on the site would support the need for additional housing supply in Sydney in accessible locations close to places of employment and established infrastructure. The delivery of 312 new dwellings would place downward pressure on prices to improve affordability and diversify housing choice. A range of unit sizes, as well as affordable housing units (5% affordable housing dedicated as part of the development), would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.
- The proposal would support sustained job creation and economic activity through the provision of commercial premises. Specifically, economic benefits include:

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

- The proposal would continue to accommodate 240 jobs on the site, through the provision of ground and level 1 commercial premises capable of supporting a higher employment density than the current facilities.
 - The concept development would provide suitable commercial floor space to accommodate businesses in the creative, education, knowledge and digital industries, and relatedly to foster jobs growth in these industries (being the industries sought to strengthened by the City of Sydney's Economic Development Strategy).
 - By providing affordable or flexible floor space, the site may remain attractive to small-medium enterprises and business start-ups.
 - The dedication of 813m² affordable business floor space, conceived as a start-up hub, would provide the opportunity for approximately 50-55 local entrepreneurs to benefit from proximity to larger anchor uses (e.g. Google or Atlassian at ATP) and contribute to the City retaining talent as part of its global strategy. Within this strategic location, the economic benefits of this affordability model and its multiplier over a decade would be significant.
-
- The proposed LEP amendment aligns with the relevant Section 9.1 Ministerial Directions including as they relate to business zones, residential zones and the integration of land use and transport.
 - The proposal is consistent with the aims of SLEP2012 as it seeks to facilitate the sustainable development and use of land for housing and commercial activities to meet the needs of local and regional populations, promote growth and reinforce the role of the City of Sydney.
 - The future provision of mixed use development is wholly consistent with the B4 zone objectives as it provides a mixture of compatible land uses in a highly accessible location close to Redfern train station and the future Waterloo Metro Station. It is noteworthy that the envisaged mixed use development is already permissible pursuant to the SLEP2012, with no change of zone or additional permitted use required.
 - The proposed amendment of the SLEP2012 height of buildings and FSR standards to allow built form up to 30 storeys (99.6m) with a 10.4:1 FSR, would continue to achieve the objectives of the standards, as follows:
 - Additional height, GFA and FSR are required to make the redevelopment of the site viable. This redevelopment is required such that new commercial space and residential accommodation are delivered to support jobs, economic growth and the housing needs of Sydney's growing population.
 - The location of the site in immediate proximity of major transport infrastructure, established high rise mixed use development throughout Redfern, the Redfern to Waterloo TOD Precinct and Sydney CBD, means that high rise development on the site would integrate with the density of development and range of land uses in the site's vicinity.
 - New high density mixed use development would catalyse the desired revitalisation of the Redfern-Waterloo corridor and leverage off the significant investment embodied in the new Sydney Metro, and therefore reflects the desired character of the locality.
 - The stepped design would concentrate the tower element in proximity of land designated for high rise buildings, whilst lower building elements would be provided adjacent to existing and heritage-listed buildings. The design of the built form would therefore provide an effective height transition and

PLANNING PROPOSAL

Amendment to Sydney Local Environmental Plan 2012 for Additional Building Height and Floor Space Ratio for the Purpose of a Mixed Use Tower
44-78 Rosehill Street, Redfern (Lot 1 DP 792628)

protect neighbouring amenity (for residential properties and public open space).

- As detailed in the Urban Design Report (**Appendix 2**), the Concept Design is capable of compliance with the key requirements of the ADG. Whilst detailed assessment of a proposed development would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the site can be designed to provide a high level of amenity for residents of the subject and adjoining sites. Similarly the potential of developing adjoining sites in accordance with the ADG has been demonstrated.
- The proposal would provide the opportunity to more effectively relate to the public domain through active commercial frontages at street level (including studios, galleries and workspaces), new public open spaces, the preservation of Gibbons Street Reserve, and the transformation of Cornwallis Lane into an activated pedestrian thoroughfare.
- A high level of amenity for all residents, workers and visitors would be ensured by designing built form with respect to solar access, views, visual privacy, acoustic privacy and the local wind environment.
- The proposal would not exhibit any adverse environmental impact, given that the site is located within an established urban area, has been historically developed and contains limited vegetation. The site's redevelopment would create opportunities for development designed in accordance with the principles of ESD, new public open spaces, the co-location of housing and jobs, and the promotion of active transport use through TOD.
- The future population arising from the proposal would be adequately serviced by existing and planned childcare facilities, health facilities and education facilities in the surrounding area. Given the pre-existing need within the City of Sydney for additional open space and affordable housing, the Community Needs Assessment (**Appendix 5**) recommends that open space and affordable housing would form appropriate considerations as part of a VPA.
- A VPA Offer has been prepared to ensure the proposal provides significant public benefit through the dedication of land for open space and a laneway, the provision of 5% of residential accommodation as affordable housing, and the provision of 813m² affordable business space (conceived as a start-up hub).

It is therefore recommended that the Planning Proposal is approved by City of Sydney Council and that the necessary steps are pursued to enable it to proceed to Gateway Determination under Section 3.34 of the EP&A Act.