



23 April 2010

Director, Government Land and Social Projects
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Wil Nino

Dear Wil,

**RE: MP08_0112 – MIXED USE DEVELOPMENT AT LOTS 1-9 SECTION 9 DP
4209 AND LOT B IN DP 354297 – 7-9 GIBBONS STREET, REDFERN**

I refer to your letter of 17 March 2010 and the Environmental Assessment regarding the exhibition of the above Project Application lodged by Lawson Square Pty Ltd C/- Kass Hermes Urban Planning and Development.

The RWA has reviewed the Environmental Assessment and supporting documentation submitted with the Project Application. This review has involved consideration of the Director General Environmental Assessment Requirements (DGEARs) as well as issues raised in the RWA's letter of 8 August 2008 in response to the Department's request for the original DGEARs. This letter also addresses matters raised by the RWA in meetings with the Department and proponent.

The RWA supports the proposal to redevelop the car park site and recognises it will contribute to the revitalisation and renewal of the Redfern area. However, the RWA has identified the following matters associated with the redevelopment which require further consideration, clarification or assessment.

**1. Non-compliance with State Environmental Planning Policy (SEPP)
(Major Development) 2005**

The EA indicates that the proposal does not comply with the maximum 7:1 floor space ration (FSR) control applying to the site under Clause 21(2) of Part 5, Schedule 3 of SEPP (Major Development) 2005. According to the Environmental Assessment (EA) the non-compliance consists of an additional 152sqm of floor space, attributed to the communal recreational facilities on level 2 of the building. The EA refers to the provisions of the City of Sydney (CoS) Local Environmental Plan (LEP), which allows communal recreational facilities to be excluded from the calculation of floor space for the purposes of determining the FSR. However, as the EA identifies the CoS LEP does not apply to this site or other RWA sites.

While the RWA notes the minor nature of the non-compliance, it is our understanding that variations to the height and FSR controls applying under Clause 21 of the SEPP, can only be considered by the Minister for a part 3A Concept Plan application. This being the case, there is no mechanism for varying the FSR or height for a Part 3A Major Project application. The RWA will be guided by the Department on this matter.

2. Car parking

General comments

The RWA notes that the car parking provision is up to the maximum specified within the South Sydney Development Control Plan No.11 Transport Guidelines for development. The RWA acknowledges there is currently no car parking policy applying to the subject site, or other RWA sites within the Redfern Centre, and DCP 11 has been used as a guide for parking provision to date. However, given the site's accessibility to Redfern Station and bus services, as well its proximity to the CBD and other key employment nodes, such as Australian Technology Park, a more constrained car parking provision should be considered. This is particularly relevant given the targets established by the NSW Government in the *NSW State Plan 2010* to increase the share of commuter trips made by public transport, cycling and walking by 2016.

Supermarket car parking

The *Traffic Impact Assessment (TIA)* prepared by Traffix and the EA, both indicate that the car parking rate of 4.2 spaces/100 sqm adopted for the supermarket is based on DCP 11 and the RTA Guidelines (refer to Table 2 of the TIA and Table 4 of the EA). The RWA cannot find any reference to this figure in the DCP. The RWA considers the car parking rate excessive given the sites accessibility to public transport and that the supermarket is likely to service the local resident and working population. On this basis the RWA does not support the establishment of a supermarket that is based on a "car dependent model" as identified in the TIA and EA. The IGA on Regent Street/Botany Road Waterloo, which is a comparable size to proposed supermarket, has no off-street car parking and does not benefit from the same public transport accessibility.

Further to the above, the approved Part 3A Concept Plan for the North Eveleigh site, which was prepared by the RWA, includes a car parking rate of 1/125sqm for retail floor space, which was to include a supermarket. The North Eveleigh site is located to the west of the subject site, on the opposite side of the railway corridor, and benefits from a similar level of accessibility to the railway station. The car parking rate of 1/125 sqm was adopted for the Concept Plan to reflect the accessibility of the site to public transport and the intention for a future supermarket to service the local population.

Car parking for GCA towers

With regard to the 80 spaces proposed for the exclusive use of the Lawson Square Towers (formally TNT Towers) the RWA notes that the number of proposed spaces represents a significant reduction (49%) from the original 156 spaces that were approved on the subject site for the Lawson Square Towers. However, it is important to recognise that the 156 spaces were approved in 1972, at a time when car parking policies were generally aimed at maximising on site

parking provision. In more recent times car parking policies seek to constrain car parking provision, particularly in locations that benefit from good public transport access. Accordingly, the RWA requests details of the existing GFA of the Lawson Square Towers to determine the car parking rate that the proposed 80 car parking spaces equates to and whether it is consistent with the commercial rate of 1 space/125 sqm, which has been adopted for the balance of the development. Additionally RWA would like to ensure there is a legal mechanism to ensure that these spaces are available for the exclusive use of the GCA towers into the future.

3. Marian Street

Marian Street is identified in the RWA BEP 1 as a key pedestrian link that should be reinforced. This is also reflected in the RWA's draft Design Principles for the Redfern Centre. The proposed combined loading/car park access occupies around 50% of the Marian Street frontage. It is considered that this has the potential to compromise the pedestrian amenity and safety along Marian Street, particularly as it becomes a more popular pedestrian route. The RWA considers that a separated loading and car park entrance would be preferable, with one access be accommodated on William or Gibbon Street. However, we acknowledge there are constraints associated with the location of the loading access in order to accommodate large vehicles to service the supermarket.

Notwithstanding, the RWA remains concerned that pedestrian safety and amenity on Marian Street will be reduced, particularly in terms of the potential for increased pedestrian and vehicle conflicts. As such further consideration must be given to this issue at this stage of the process, and not during a post consent detailed design process.

4. William Lane Elevation

While the RWA have previously identified William Lane as potential vehicle access for future development and not major pedestrian access, the proposed treatment of this elevation is considered inappropriate. The inactive frontage is exacerbated by the selection of materials which present a completely blank facade to the laneway at street level. This proposed William Lane facade when combined with the large vehicle access proposed on Marian Streets results in large area of inactive building facade at street level, which is inconsistent with BEP 1 and the draft Redfern Centre Urban Design Principles.

5. SEPP 65 – Residential Flat Design Code

A SEPP 65 compliance checklist has been provided with the Design Verification Statement. However, clarification is required on the extent of compliance with respect to the following matters.

Storage

The checklist indicates that the proposal complies with the storage requirements included in the "rules of thumb". However, we have been unable to clearly determine where this storage would be located. We note that the plans show "plant/storage areas" within the basement levels, however resident storage must be clearly separate from plant areas.

Residential lobby

The Code recommends providing separate entries for different uses, yet the entrance to the residential apartments, commercial uses and supermarket lift access are all via a single entrance from Gibbons Street. It is considered preferable for the apartments to have a separate entry from street level.

It is further noted that some of the entrances are recessed/slightly setback from the building line. To maximise visibility and minimise opportunities for crime and anti-social behaviour it is preferable for the entrances to be located at the building line.

Light wells

The Code recommends limiting the use of light wells as a source of daylight by prohibiting their use as a primary source of daylight to habitable rooms. However, the proposed light wells are the only source of daylight for several of the bedrooms facing the east.

Aesthetics – materials and finishes

The RWA is unsure of some of the materials and finishes and their use in certain locations (e.g, William Lane elevation as discussed above). The RWA needs to review samples of the actual materials and finishes.

Dwelling Amenity

The level of amenity that will be achieved for some of the 1 bedroom apartments is questionable where the only source of ventilation/light is via the living rooms windows. While the layout of these apartments allows for flexibility, with inclusion of sliding/retractable bedroom walls, the RWA questions whether this will provide adequate amenity.

6. Cyclist facilities

The EA states that bicycle parking is to be provided in accordance with DCP 11 and bicycle parking is shown within basement levels on the architectural plans. The EA further notes that change room facilities will be provided, but these are not shown on the plans.

In order to seriously encourage cycling as a transport option, it is necessary to ensure that adequate cycling facilities are provided for this development. Accordingly, the RWA requires confirmation that the required bicycle parking, the amount of which has not been identified, can be accommodated in suitable locations according to the users (i.e residential /non-residential). In addition, the RWA requires further details of where other cyclist facilities, such as secure lockers and change rooms for staff, will be located.

7. ESD

The ESD Report prepared by Jones Nicholson Pty Ltd includes a BASIX assessment, as well as assessment of the SEPP 65 sustainability principles and RWA Built Environment Plan (BEP) ESD strategies. Consistent with the BEP 1 ESD strategies, the RWA requests details of the non-residential components of

the buildings performance against best practice targets, such as Green Star or NABERS.

8. Wind

Wind is a major problem within the Redfern Centre. To ensure that the existing wind conditions within the public domain will not be exacerbated, the RWA requests that the Department of Planning commission an independent assessment of the Wind Environment Study prepared by Windtech. The RWA requires confirmation that the findings of the Windtech assessment are correct and recommended wind mitigation measures are adequate to ensure no adverse wind impacts will arise from the proposal.

9. Social Cohesion

The promotion of greater social cohesion is one of the objectives of the RWA under the Redfern-Waterloo Authority Act. Encouraging a greater social mix within the Redfern-Waterloo area is the key to achieving social cohesion. This can only be achieved by providing a range of housing options. As the proposal is predominantly comprised of studio and 1 bedroom apartments and includes no 3 bedroom apartments, the RWA is concerned that this will not contribute to a greater social cohesion.

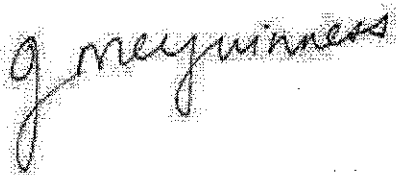
10. Redfern Waterloo Contributions Plan

The RWA notes that the applicant is proposing to undertake public domain works on Gibbons Street in lieu of payment of a contribution in accordance with the Redfern Waterloo Contributions Plan. As the Department would be aware a proposal to carry out proposal to carry out works in lieu of payment of a contribution must form part of a planning agreement. Accordingly, the RWA requests that any such offers be dealt with through the imposition of a condition consistent with the condition included on the Instrument of Approval for the Major Project application for the redevelopment of the RSL club.

Notwithstanding the above, as with major developments that occur throughout the City of Sydney LGA, the RWA would expect the footpath along Gibbons/Marian Street would be reinstated to a certain standard as part of the overall development, separate from any additional works that may be undertaken in accordance with the Contributions Plan.

Should you have any further enquiries with regard to this matter please do not hesitate to contact Joanne McGuinness

Yours sincerely



Joanne McGuinness
Director Planning and Urban Renewal