



# Environmental Assessment

Mixed-Use Retail/Commercial/  
Community/Entertainment/  
Residential Complex

157 Redfern Street  
REDFERN

Prepared for:

**DeiCorp Pty Limited**

Shop 5, 140-152 New Canterbury Road  
PETERSHAM NSW 2049

Prepared by:

**Ludvik & Associates Pty Ltd**

**Consultant Town Planners**

Suite 103, 10-12 Clarke Street  
CROWS NEST NSW 2065

Tel: (02) 9906 3566

Fax: (02) 9906 3592

ACN 070 751 683  
ABN 95 070 751 683

July 2009

A09007.SEE

---



## Table of Contents

<b>Executive Summary</b>		
<b>1.0</b>	<b>Introduction</b>	<b>1</b>
<b>2.0</b>	<b>Site Details</b>	<b>3</b>
<b>2.1</b>	<b>The Site</b>	<b>3</b>
<b>2.2</b>	<b>Site Context</b>	<b>6</b>
<b>3.0</b>	<b>The Proposal</b>	<b>9</b>
<b>4.0</b>	<b>Consultation</b>	<b>13</b>
<b>5.0</b>	<b>Environmental Planning Instruments</b>	<b>14</b>
<b>5.1</b>	<b>Major Projects SEPP</b>	<b>14</b>
<b>5.1.1</b>	<b>Zoning</b>	<b>14</b>
<b>5.1.2</b>	<b>Provisions of the Policy</b>	<b>16</b>
<b>5.2</b>	<b>Other State Environmental Planning Instruments</b>	<b>18</b>
<b>5.2.1</b>	<b>State Environmental Planning Policy (Infrastructure) 2007</b>	<b>18</b>
<b>5.2.1.1</b>	<b>Part 3 - Division 15 - Railways</b>	<b>18</b>
<b>5.2.1.2</b>	<b>Part 3 - Division 17 - Roads and Traffic</b>	<b>20</b>
<b>5.2.1.3</b>	<b>Noise and Vibration Assessment</b>	<b>22</b>
<b>5.2.1.4</b>	<b>Summary</b>	<b>22</b>
<b>5.2.2</b>	<b>State Environmental Planning Policy (BASIX) 2004</b>	<b>23</b>
<b>5.2.3</b>	<b>State Environmental Planning Policy No.55 - Remediation</b>	<b>23</b>
<b>5.2.4</b>	<b>State Environmental Planning Policy No.65 - Design Quality</b>	<b>26</b>
<b>5.2.5</b>	<b>State Environmental Planning Policy (Public Entertainment)</b>	<b>29</b>
<b>6.0</b>	<b>Development Policies</b>	<b>31</b>
<b>6.1</b>	<b>Sydney Metropolitan Strategy</b>	<b>31</b>
<b>6.2</b>	<b>Redfern-Waterloo Built Environment Plan (Stage 1)</b>	<b>33</b>
<b>6.3</b>	<b>Contributions Plans</b>	<b>37</b>
<b>6.3.1</b>	<b>Redfern-Waterloo Authority Contributions Plan 2006</b>	<b>37</b>
<b>6.3.2</b>	<b>Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006</b>	<b>38</b>
<b>7.0</b>	<b>Issues</b>	<b>39</b>
<b>7.1</b>	<b>Built Form and Urban Design</b>	<b>39</b>
<b>7.2</b>	<b>Environmental Considerations</b>	<b>41</b>
<b>7.2.1</b>	<b>Ecologically Sustainable Development</b>	<b>41</b>
<b>7.2.2</b>	<b>Community Safety</b>	<b>42</b>
<b>7.2.3</b>	<b>Heritage and Archaeological Considerations</b>	<b>44</b>
<b>7.2.4</b>	<b>Residential Amenity</b>	<b>44</b>
<b>7.2.5</b>	<b>Drainage and Flooding</b>	<b>46</b>
<b>7.2.6</b>	<b>Access</b>	<b>46</b>
<b>7.2.7</b>	<b>Construction Considerations</b>	<b>47</b>

7.3	Public Domain	47
7.4	Public Utilities	48
8.0	Statutory Compliance Assessment	49
9.0	Conclusion	51

## **Figures**

Figure 1      Locality Plan

Figure 2      Site Plan

## **Appendices**

Appendix 1    Director-General's Requirements

Appendix 2    Survey Plan - CBD Surveying Services Pty Ltd

Appendix 3    Environmental Site Assessment - JBS Environmental Pty Ltd

Appendix 4    Development Plans - Nordon Jago Architects

Appendix 5    Photomontages - Nordon Jago Architects

Appendix 6    Public Domain Report & Plan - Scape

Appendix 7    Consultation Report - Scape

Appendix 8    Geotechnical Report - SMEC Australia Pty Ltd

Appendix 9    Structural Report - Bonacci Group Pty Ltd

Appendix 10   Acoustic & Vibration Assessment - Koikas Acoustics Pty Ltd

Appendix 11   Traffic Impact Assessment - Traffix

Appendix 12   BASIX Assessment - Windtech Consultants Pty Ltd

Appendix 13   Acid Sulfate Soil Assessment - SMEC Testing Services Pty Ltd

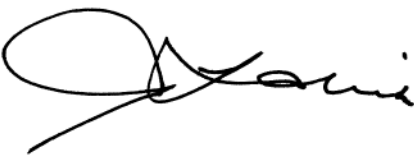
Appendix 14   ESD Report - Ecospecifier Consulting

Appendix 15   Design Verification Statement - Nordon Jago Architects

Appendix 16   Security Review Report - Harris Crime Prevention Services

- Appendix 17 Statement of Heritage Impact - Noel Bell Ridley Smith & Partners Pty Ltd**
- Appendix 18 Archaeological Assessment - Cultural Resource Management**
- Appendix 19 Development Cost Report - Deicorp Constructions Pty Ltd**
- Appendix 20 Pedestrian Wind Environment Study - Windtech Consultants Pty Ltd**
- Appendix 21 Solar Light Reflectivity Analysis - Windtech Consultants Pty Ltd**
- Appendix 22 Stormwater Drainage Plan - Neil Lowry & Associates Pty Ltd**
- Appendix 23 Accessibility Report - Morris-Goding Accessibility Consulting**
- Appendix 24 BCA Report - Vic Lilli & Partners**
- Appendix 25 Construction Management Plan - Deicorp Constructions Pty Ltd**
- Appendix 26 Waste Management Plan - J.D. MacDonald**
- Appendix 27 Water & Sewerage - Sydney Water Corporation**
- Appendix 28 Electricity - EnergyAustralia**
- Appendix 29 Electrolysis & Stray Traction Current Report - Cathodic Protection Services**
- Appendix 30 Statement of Commitments**

This Environmental Assessment was prepared by:



Andrew George LUDVIK  
Ludvik & Associates Pty Ltd

Date: 22 July 2009

<b>Issue</b>	<b>Date</b>	<b>Description</b>	<b>By</b>
A	02/07/2009	Final Report	Andy Ludvik
B	22/07/2009	Executive Summary included and Final Report revised	Andy Ludvik

## Executive Summary

This Environmental Assessment has been prepared in connection with an application for development consent proposing the construction of an eighteen (18) storey mixed-use building containing shops, offices, apartments and licensed premises for the Redfern RSL Club on land at 157 Redfern Street, Redfern.

The proposal has been determined to be a major project under the terms of Part 3A of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and this assessment addresses the matters contained in the Requirements for Environmental Assessment issued by the Director-General of the Department of Planning on 25 March 2009.

This summary provides an overview of the proposal in terms of the statutory framework which controls development in this area, its potential environmental impact and measures to be taken to mitigate any adverse effects it may have.

### **1. Description of the Proposal**

The proposal involves:

- the demolition of the existing improvements on the land;
- the construction of an eighteen (18) storey mixed-use building containing:
  - shops at the ground floor level fronting both Redfern and Gibbons Streets;
  - new premises for Redfern RSL Club at Level 2;
  - commercial office space at Levels 3 and 4;
  - apartments at the upper floor levels of the building; and
- the strata subdivision of the development upon its completion.

The building is to have a gross floor area of some 11,531.8m<sup>2</sup> and is to provide:

- 670m<sup>2</sup> of retail space;
- 1,457m<sup>2</sup> of space for the Club;
- 1,690.8m<sup>2</sup> of commercial office space;
- 7,714m<sup>2</sup> of residential space, accommodating eighty-four (84) apartments comprising:
  - fourteen (14) x 1-bedroom apartments;
  - sixty-three (63) x 2-bedroom apartments; and
  - seven (7) x 3-bedroom apartments; and
- parking for one hundred and forty-seven (147) cars and loading facilities in basement levels under the building.

## **2. Objectives of the Proposal**

The objective of the proposal is to construct a mixed-use development which is consistent with the desired future character of development in this locality as contemplated by:

- the land use and development standards contained in *State Environmental Planning Policy (Major Projects) 2005, (Major Projects SEPP)*; and
- the strategies, land use and design concepts contained in *Redfern-Waterloo Built Environment Plan (Stage 1), (BEP)*.

## **3. Statutory Planning Framework**

The site is located within the Redfern-Waterloo Authority Sites identified on Map 3 in Schedule 3 - State Significant Sites of the *Major Projects SEPP* and is within the Business - Commercial Core zone under the *Policy*.

The proposal is permissible, with the consent of the Minister for Planning, and complies with the land use and development standards and the relevant provisions contained in the *Major Projects SEPP*.

The proposal is consistent with the other relevant State environmental planning policies applying to it, namely:

- *State Environmental Planning Policy (Infrastructure) 2007*;
- *State Environmental Planning Policy (BASIX) 2004*;
- *State Environmental Planning Policy No.55 - Remediation of Land*;
- *State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development*; and
- *State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007*.

The proposal is also consistent with the relevant strategies and policies applying to it, namely:

- *Sydney Metropolitan Strategy - City of Cities - A Plan for Sydney's Future*;
- the *BEP*;
- *Redfern-Waterloo Authority Contributions Plan 2006*; and
- *Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006*.

## **4. Community Consultation**

A community consultation program regarding the proposal was conducted, which included:

- consultations with relevant State and Local Government stakeholders, local businesses, members of the indigenous community and owners and occupiers of surrounding properties; and
- a community information event held on Wednesday, 3 June 2009, at Redfern Town Hall, Pitt Street, Redfern.

The key issues identified through the consultation process were safety and security, the upgrading of the quality of the pedestrian connection between Redfern Railway Station and the Redfern Town Centre and the future of the Redfern RSL Club in this area.

Traffic management and building form, bulk and scale did not appear to be issues as the proposal conformed with the Redfern-Waterloo Authority's development controls.

The general consensus was that the development would have a positive outcome for the area.

### **5. Built Form/Urban Design**

The proposal achieves excellence in its design, responding to the opportunities and constraints offered by the site and its setting, by:

- creating a high standard architecture, form and detailing;
- significantly improving the amenity of the area and the public domain;
- achieving the urban design outcomes fostered and promoted by the *BEP*; and
- providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Projects SEPP*.

The proposal will create a satisfactory and desirable environment in public domain areas surrounding the site in terms of the pedestrian wind environment and solar light reflectivity.

The proposal will establish an accessible environment for the community as a whole, particularly for people with a disability.

### **6. Environmental/Residential Amenity**

The proposal will have no undue or unreasonable effect on the amenity of existing or proposed buildings on surrounding and nearby residential properties in terms of:

- privacy;
- solar access;
- views; or
- visual impact,

and satisfactorily addresses these issues for the future residents of the apartments to be constructed.

The impact of surrounding road and rail noise and vibration on the future residents is capable of being addressed in terms of accepted engineering and design practice.

The proposal will not have any adverse effect on any heritage items on the land or in its vicinity and the land is not of archaeological significance.

## **7. Safety/Public Domain/Landscaping**

The proposal has been designed and is expected to lead to a significant improvement in community and public safety in this locality.

The proposal will enhance the quality and amenity of the public domain by:

- the reconstruction of Redfern Street and the footpath area in Gibbons Street in front of the site;
- the widening of the Gibbons Street footpath at ground level;
- the establishment of a continuous colonnade and active street frontage along Redfern Street;
- the construction of an awning and active frontages along Gibbons Street; and
- the creation of an architectural form which will provide a podium with a built-edge definition to both Redfern and Gibbons Streets for the lower two (2) floor levels and tapering commercial office and residential building floor plates at the upper levels of the building.

## **8. Proposed Uses**

The specific nature of the uses to be conducted in the shop/commercial tenancies to be constructed is unknown at this stage and will be determined following the determination of the application.

It is expected that these uses will operate in a manner not dissimilar to surrounding established retail and commercial developments.

Development applications for the commencement of the use of these sections of the building are to be submitted to and approved prior to the commencement of their use in accordance with normally accepted practice.

The club premises are to continue operation largely in the same manner as the Redfern RSL Club currently operates on the land.

## **9. Car Parking/Transport/Accessibility**

The development is located with good access to public transport and the site is well placed to take advantage of passing trade and reduce reliance of car-oriented journeys.

The one hundred and forty-seven (147) parking spaces to be established are to be significantly less than that nominally required under the Roads and Traffic Authority of NSW's *Guide to Traffic Generating Development* and City of Sydney's *Development Control Plan No. 11* and the availability of public transport services and the restrictive nature of parking in the area are expected to result in relatively high mode share to public transport from all trips associated with the proposal.

The proposal is to provide adequate off-street car parking to satisfy expected parking demand.

Access and internal design of the car park generally satisfies the requirements of AS 2890 and will operate successfully.

The impact of the additional traffic expected to be generated during the AM and PM peak periods is minimal and can readily be accommodated by the surrounding road network.

A loading management plan will ensure that loading and servicing vehicle movements are appropriately co-ordinated and not significantly impact on other users.

#### **10. Rail Impacts**

The proposal meets requirements contained in *State Environmental Planning Policy (Infrastructure) 2007* and the guidelines issued by the Director-General relating to noise and vibration associated with the adjacent rail infrastructure and the future residents of the apartments in the building will enjoy a satisfactory acoustic environment in terms of the noise and vibration emanating from that infrastructure.

The construction of the proposal will not compromise existing or proposed rail infrastructure in this area.

#### **11. Ecologically Sustainable Development**

The proposal has been designed to accord with ecologically sustainable development best practice:

- to be energy efficient;
- to optimise solar access to the building;
- to decrease total energy use in the building through a reduction in heat loss and energy consumption for the purposes of heating and cooling; and
- to reduce the current level of attributed greenhouse gas emissions and natural resource consumption.

An assessment of the ecologically sustainable design features to be included in the building and a BASIX assessment are to be submitted with the application.

#### **12. Drainage/Flooding**

The land is not subject to flooding.

A stormwater drainage plan to be submitted with the application has incorporated water sensitive design measures and will satisfactorily manage stormwater disposal from the site.

#### **13. Utilities**

The area is currently serviced by public utility infrastructure in the form of water, sewerage, electricity, gas, telecommunications, stormwater systems and roads.

The applicant has consulted with the relevant service providers and it is evident that the existing infrastructure is either adequate or can be augmented and extended to accommodate the proposal.

#### **14. Staging**

The construction of the building is not to be staged.

A construction management plan is to be submitted with the application outlining the manner in which activities associated with the construction of the proposal are to be managed to minimise its effects on adjoining properties and the area generally.

#### **15. Conclusion**

The proposal is consistent with:

- the objectives of the Business - Commercial Core zoning of the land and the planning principles relating to development in this zone contemplated by the *Major Projects SEPP*; and
- the desired future character of the area contemplated by the *BEP*.

The proposal represents a desirable urban design outcome for the development of this site in the context of the desired future character of the Redfern-Waterloo area and the Redfern Town Centre.

The proposal conforms with the objectives and controls contained in the relevant policies applying to the redevelopment of the land

The development represents an appropriate urban design response to the opportunities and constraints offered by the site and its setting and will be compatible and consistent with the planned future character of this locality.

The development will provide an interesting and attractive element in this section of the Redfern Town Centre, particularly in the Redfern and Gibbons Streets' streetscapes.

The proposal will have no undue or unanticipated impact on the amenity enjoyed by surrounding properties in terms of overshadowing, loss of privacy, loss of views or visual impact.

The proposal will not adversely impact on the efficiency and effectiveness of the surrounding road network.

The proposal conforms with the statutory heads of consideration contained in Section 79C of the *Environmental Planning and Assessment Act 1979*.

Accordingly, the application is suitable for approval.

#### **16. Statement of Commitments**

A statement of commitments relating to the project is contained in **Appendix 30**.



## 1.0 Introduction

This report examines the issues associated with an application for development consent to be submitted to the NSW Department of Planning for the demolition of the existing buildings on land at 157 Redfern Street, Redfern, and for the construction of an eighteen (18) storey mixed-use building containing:

- active retail street frontages at the ground floor level along both Redfern and Gibbons Streets;
- new premises for Redfern RSL Club at Level 2;
- commercial office space at Levels 3 and 4; and
- apartments at the upper floor levels of the building.

The application is submitted under the terms of Section 75E of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and *State Environmental Planning Policy (Major Projects) 2005, (Major Projects SEPP)*.

The land is located within the Redfern-Waterloo Authority Sites, identified as a *State Significant Site* in Part 5 of Schedule 3 of the *Major Projects SEPP*.

The Department's Director-General on 27 February 2009 determined the proposal to be a major project to which Part 3A of the *EP&A Act* applies and issued Requirements for Environmental Assessment, dated 25 March 2009, to be applied to the proposed development.

A copy of the Director-General's Requirements are contained in **Appendix 1**.

The project is to include significant improvements to the public domain in terms of enhancing the pedestrian connection along Redfern Street between the Redfern Railway Station and the Redfern Town Centre to the east of Regent Street by:

- eliminating vehicular access and vehicle/pedestrian conflict in Redfern Street associated with the current operations of the Redfern RSL Club; and
- establishing:
  - attractive, vibrant and active street frontages;
  - shade and shelter for pedestrians using the connection; and
  - casual surveillance of the public domain over extended hours by virtue of the use and operation of the proposed shops, offices, club and apartments.

The consultation program associated with this proposal is outlined in Section 4.0 of this assessment and the application, as presented, has been formulated in terms of the outcomes of these consultations.

The proposal and its design are justified on the basis of:

- the opportunities and constraints offered by the site and its setting;
- increasing the variety of housing types available in this locality to meet emerging market demands;
- the high degree of accessibility the site enjoys to public transport services, shops and other services and facilities in the immediate vicinity; and
- the consistency of the proposal with the desired future character of development in this area, as expressed through the town planning controls relating to its redevelopment and rejuvenation.

This assessment:

- examines the issues associated with the proposed building;
- analyses the impact of the proposal in the context of existing and planned future development on surrounding properties; and
- undertakes a summary assessment of the proposal in light of the environmental planning legislation applying to the land.

## **2.0 Site Details**

### **2.1 The Site**

The land known as 157 Redfern Street, Redfern, is situated on the south-eastern corner of Redfern and Gibbons Streets.

A locality plan is contained in **Figure 1**.

The land comprises all of the land contained in Lot A, DP 354297 and Lots 1 and 2, Section D, DP 7328.

The site is irregular in shape and has:

- a frontage of some 39.3m to Redfern Street and 37.3m to Gibbons Street;
- a depth of some 38m relative to its Redfern Street frontage; and
- an area of 1,647.4m<sup>2</sup>.

A site plan is contained in **Figure 2**.

The land contains a single storey brick club building occupied by the Redfern RSL Club, with limited car parking provided under its northern and western elevations.

The existing building is not an attractive element in the streetscapes in either Redfern Street or Gibbons Street, lacking presence and fenestration.

Vehicular access to the car parking facilities is obtained via a footpath crossing in Gibbons Street and multiple crossings in Redfern Street.

Vehicular access is also available to a loading area in the southern rear elevation of the Club's building via William Lane.

The land experiences a significant fall of between 2.5m and 3.3m from its Redfern Street boundary to its southern rear boundary.

This represents an average grade of some 1 in 13, or 7.6%.

There is no vegetation on the land.

The land is largely isolated from surrounding properties by:

- a 2.44m wide pathway to the east; and
- the car park associated with the GCA Towers on 7-9 Gibbons Street and William Lane to the south.

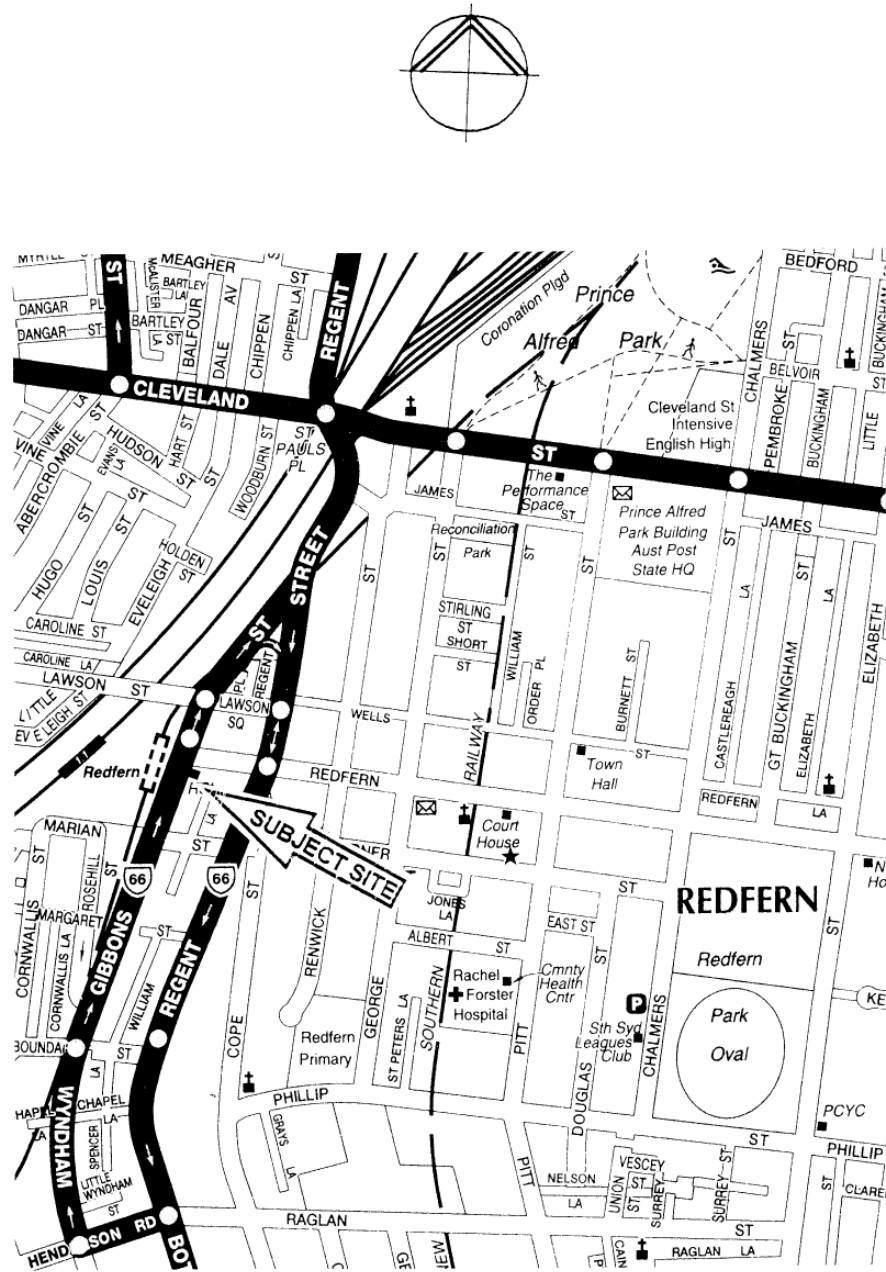


Figure 1  
Locality Plan



The land is not affected by any easements or rights of way.

The topography of the land and the location of existing improvements is shown on a survey plan prepared by CBD Surveying Services Pty Ltd to be submitted with the application.

A copy of the survey plan is contained in **Appendix 2**.

An environmental site assessment of the land has been prepared by JBS Environmental Pty Ltd.

The assessment indicates that the levels of environmental impact of soil samples taken from the site have been found to fall below published assessment criteria for commercial/industrial/high density residential sites.

A copy of the assessment is contained in **Appendix 3**.

## **2.2 Site Context**

The land is located in an area that exhibits a significant degree of diversity in terms of the use, nature and scale of buildings.

The land immediately to the east of the site comprises a 2.44m wide pathway accommodating access to the rear of 56-66 Regent Street and 68 Regent Street.

The properties at 56-68 Regent Street contain two (2) storey brick retail/commercial buildings occupied by:

- the Railz on Regent Hotel on 56-58 Regent Street;
- coffee shops on 60 and 62 Regent Street;
- a restaurant on 64 Regent Street;
- a business operating as Second to None on 66 Regent Street; and
- a take away food shop on 68 Regent Street.

Some of these properties contain dwellings at their first floor level.

The land immediately to the south of the site comprises the properties known as 7-9 Gibbons Street, 70 Regent Street and William Lane.

The property at 7-9 Gibbons Street extends to Marian Street and contains a four (4) level car park associated with the commercial office buildings known as the GCA Towers located at 1 Lawson Square.

There is a proposal to construct an eighteen (18) storey mixed-use retail/commercial/residential development on this land.

The Director-General issued the requirements to be addressed in that proposal on 7 August 2008.

The property at 70 Regent Street contains a two (2) storey brick retail/commercial building occupied by the Medium Rare Gallery.

The land to the north, on the opposite side of Redfern Street, comprises the property known as 1 Lawson Square.

This property contains two (2) x twelve (12) storey commercial office buildings known as the GCA Towers which are occupied by the Redfern Police Station, the Universal International Colleges, GKN Aerospace and the Redfern-Waterloo Authority.

Four (4) levels of the complex are currently vacant and available for lease.

The land to the west, on the opposite side of Gibbons Street, accommodates the Redfern Railway Station and car parking and landscaping on an area known as Marian Street Park.

The main section of the Redfern Town Centre is focused around Redfern Street, east of Regent Street.

Gibbons and Regent Streets represent major elements of the arterial road network in this locality.

Traffic in Gibbons Street is limited to one-way northbound, while Regent Street is primarily limited to one-way southbound.

Redfern Street is some 7m wide between Regent and Gibbons Streets and traffic is limited to a one-way eastbound, with a left-turn only being permitted at its intersection with Regent Street.

This section of Redfern Street is primarily used to provide:

- vehicular access to car parking facilities associated with the RSL Club;
- pedestrian and loading access to the rear of the properties at 56-68 Regent Street;
- service access to the rear of the GCA Towers; and
- pedestrian connection between the Railway Station and the Town Centre.

The setback of the existing RSL Club building from Redfern Street increases the perceived width of the street in front of the Club.

The area is conveniently located to public transport services with:

- the Railway Station located within 50m of the site; and
- major bus routes using Gibbons and Regent Streets to connect the area to the Sydney CBD.

The site is ideally located for a higher density mixed-use development in terms of its integration with surrounding transport services.

The area:

- is well serviced by a wide range of retail/commercial facilities in the Town Centre;
- is in close proximity to the recreation, leisure and entertainment facilities; and
- is conveniently located to public transport and the arterial road network, both in a district and regional context.

The site is located in an area that is eminently suitable for redevelopment involving higher residential densities.

### 3.0 The Proposal

The application seeks development consent for:

- the demolition of the existing improvements on the land;
- the construction of an eighteen (18) storey mixed-use building containing:
  - shops at the ground floor level fronting both Redfern and Gibbons Streets;
  - new premises for Redfern RSL Club at Level 2;
  - commercial office space at Levels 3 and 4;
  - apartments at the upper floor levels of the building; and
- the strata subdivision of the development upon its completion.

The consultation program associated with this proposal is outlined in Section 4.0 of this assessment and the application, as presented, has been formulated in terms of the outcomes of those consultations.

The building has been designed by Nordon Jago Architects and is depicted on Plan No.DE100308, Drawings No.DA000; DA010; DA020 to DA 024; DA050 to DA052; DA090 to DA094; DA100 to DA103; DA110 to DA114; DA120; DA121; DA 200; DA201; DA 300; DA 301 and DA900.

A reduced scale copy of the development plans is contained in **Appendix 4**.

The building is to have a gross floor area of some 11,531.8m<sup>2</sup> and is to provide:

- 670m<sup>2</sup> of retail space;
- 1,457m<sup>2</sup> of space for the Club;
- 1,690.8m<sup>2</sup> of commercial office space;
- 7,714m<sup>2</sup> of residential space, accommodating eighty-four (84) apartments comprising:
  - fourteen (14) x 1-bedroom apartments;
  - sixty-three (63) x 2-bedroom apartments; and
  - seven (7) x 3-bedroom apartments; and
- parking for one hundred and forty-seven (147) cars and loading facilities in basement levels under the building.

The development has been designed to:

- establish a robust urban environment that reinforces the primary east-west pedestrian connection between the Railway Station and the Town Centre;
- upgrade the quality of the land's Redfern Street and Gibbons Street frontages by establishing active street frontages, a colonnade along Redfern Street and an architectural awning along Gibbons Street;
- eliminate blank facades between the building and the public domain in both Redfern and Gibbons Streets;
- improve the public domain areas surrounding the site in accordance with Sydney City Council's public domain policies and to minimise clutter in the public domain;
- provide vehicular access arrangements off William Lane via Marian Street and to Gibbons Street, thereby eliminating the need for the proposed development to use Redfern Street for vehicular access;
- facilitate a more pedestrian-oriented and pedestrian-friendly environment along Redfern Street; and
- enhance safety and security of this area by the casual surveillance to be provided from the active street frontages and the various uses of the building and the lighting systems to be installed.

The building is to contain significant horizontal and vertical articulation and modulation to create interesting and attractive facades and streetscape elements in the Town Centre and a character compatible and consistent with the higher density built environment planned for this area.

Photomontages of the proposed development are contained in **Appendix 5**.

The ground floor level of the building is to be setback 3m from the site's Redfern Street boundary and 1.2m from its Gibbons Street boundary.

The club premises on Level 2 are to extend to the boundary to provide a built-edge definition to both streets.

The setback of the ground floor level is designed to improve the public domain:

- in Redfern Street, by creating a colonnade which will increase the perceived width of Redfern Street and provide shade and shelter for pedestrians using Redfern Street as a link between the Railway Station, Regent Street and the Town Centre; and
- in Gibbons Street, by widening the footpath and constructing an architectural awning to provide shade and shelter for pedestrians using Gibbons Street.

The upper floor levels of the building are to be setback from Redfern and Gibbons Streets in the manner indicated on the plans contained in **Appendix 4**.

The retail spaces fronting Gibbons Street are to step down to respect the site's topography, while providing a continuous grade for pedestrians using the footpath along Gibbons Street.

Pedestrian access to the RSL Club and commercial offices is to be separated from the access to the apartments, with:

- the Club and offices being accessed via a lobby from the corner of Redfern and Gibbons Streets by way of a lift and/or an escalator; and
- the apartments being accessed from a separate entry lobby off Gibbons Street adjacent to the southern boundary of the site by way of two (2) lifts.

The residential entry has been designed to provide an interesting and attractive entry to this section of the building from Gibbons Street.

Vehicular access to the car parking and loading facilities is to be obtained via William Lane, while vehicles are to leave the site via a driveway connecting to Gibbons Street located adjacent to the site's southern rear boundary at a point adjacent to the existing footpath crossing in Gibbons Street.

These access arrangements are facilitated by the land's topography.

The floor area of the apartments is to range between 59m<sup>2</sup> and 109m<sup>2</sup>.

Five (5) of the apartments have been designed to be adaptable for use by people with a disability in accordance with *Australian Standard AS 4299 - 1995 - Adaptable Housing*, representing 6% of the total number of apartments in the proposed building.

Lifts are to facilitate a vertical connection to all of the floors, including the basement car parking areas.

The building is to have a gross floor area of some 11,531.8m<sup>2</sup>, which represents a floor space ratio of 7:1 when related to the site's area of 1,647.4m<sup>2</sup>.

The materials and finishes to be used in the construction of the external facade of the building are indicated on Drawing No.DA900 of the plans submitted with the application and are to include:

- Walls - Rendered painted brickwork, with glazed window and door features.
- Windows - Pre-finished powdercoated aluminium.
- Roofs - Concrete flat roof.
- Balustrades - Pre-finished powdercoated aluminium with glazed infills and rendered painted brickwork.

One hundred and forty-seven (147) off-street car parking spaces are to be provided in the basement levels under the building comprising:

- seventy-two (72) spaces associated with the proposed apartments, including six (6) spaces capable of being used by people with a disability; and
- seventy-five (75) spaces associated with the club premises and the proposed retail/commercial tenancies, including two (2) spaces capable of being used by people with a disability.

The car spaces associated with the proposed apartments are to be located at Basement Levels 3, 4 and 5 and access to these spaces is to be restricted by a security roller shutter door.

In addition, facilities for bicycle parking are to be provided on Basement Levels 3 and 4 for the residents of the complex and at Basement Level 1 for other users of the building.

Loading and waste storage facilities are to be established at the Basement Level 1.

The waste storage area has been designed to satisfy the waste storage and recycling requirements of all of the apartments within the complex as well as those associated with the club and retail/commercial tenancies.

The proposal has been designed to enhance the quality and amenity of the public domain by:

- the reconstruction of Redfern Street and the footpath area in Gibbons Street in front of the site;
- the widening of the Gibbons Street footpath at ground level;
- the establishment of a continuous colonnade and active street frontage along Redfern Street;
- the construction of an awning and active frontages along Gibbons Street; and
- the creation of an architectural form which will provide a podium with a built-edge definition to both Redfern and Gibbons Streets for the lower two (2) floor levels and tapering commercial office and residential building floor plates at the upper levels of the building.

A copy of the public domain report and plan prepared for the project by Scape, Landscape Architects, is contained in **Appendix 6**.

The specific nature of the uses to be conducted in the shop/commercial tenancies to be constructed is unknown at this stage and will be determined following the determination of the application.

It is expected that these uses will operate in a manner not dissimilar to surrounding established retail and commercial developments.

Development applications for the commencement of the use of these sections of the building are to be submitted to and approved prior to the commencement of their use in accordance with normally accepted practice.

The club premises are to continue operation largely in the same manner as the Redfern RSL Club currently operates on the land.

The proposal will:

- provide economic and social benefits to the local community; and
- act as a catalyst and stimulus for further renewal and revitalisation of the Redfern-Waterloo area in the vicinity of the Railway Station.

## 4.0 Consultation

Consultations concerning the proposed development have been conducted in accordance with the Department's *Guidelines for Major Project Community Consultation, October 2007*.

The public authorities that have been consulted include:

- Department of Planning;
- Redfern-Waterloo Authority;
- Sydney City Council;
- Ministry of Transport;
- RailCorp Property;
- Roads and Traffic Authority of NSW;
- Sydney Water Corporation;
- EnergyAustralia; and
- NSW Police Department.

The community groups that have been consulted include:

- REDwatch;
- Aboriginal Housing Company; and
- Redfern Chamber of Commerce.

Individuals who have been consulted are the owners and residents of land in the area bounded by Lawson Square, Regent Street, Marion Street and Gibbons Street.

A community information event was held for key stakeholder groups, owners and tenants between 6.30pm and 8.00pm on Wednesday, 3 June 2009, at Redfern Town Hall, Pitt Street, Redfern.

The following stakeholders were invited, in writing, to attend the event:

- 39 owners and 16 tenants from 56-88 Regent Street and 7-9 Gibbons Street;
- local Councillors;
- State and Local Government stakeholders;
- Local Members of Parliament;
- local businesses; and
- members of the indigenous community.

The consultation process was conducted by Scape and the report on consultation and subsequent outcomes is contained in **Appendix 7**.

The key issues identified through the consultation process were safety and security, the upgrading of the quality of the pedestrian connection between the Railway Station and Town Centre and the future of the RSL Club in this area.

Traffic management and building form, bulk and scale did not appear to be issues as the proposal conformed with the Redfern-Waterloo Authority's development controls.

There was a general consensus that the development would have a positive outcome for the area.

## 5.0 Environmental Planning Instruments

### 5.1 Major Projects SEPP

#### 5.1.1 Zoning

The prevailing environmental planning instrument controlling development on this land is *State Environmental Planning Policy (Major Projects) 2005, (Major Projects SEPP)*, which was made on 25 May 2005.

The relevant aims of the *Policy*, as expressed in Clause 2, are:

- to identify development to which the development assessment and approval process under Part 3A of the *EP&A Act* applies;
- to facilitate the development of important urban and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use and development of State significant sites for the benefit of the State; and
- to rationalise and clarify the provisions making the Minister for Planning the approval authority for development of sites of State significance.

The site is within the Redfern-Waterloo Authority Sites identified on Map 3 in Schedule 3 - State Significant Sites of the *Policy* and is subject to the development control measures contained in Part 5 of Schedule 3.

Clause 6(1) of the *Policy* provides that development that, in the opinion of the Minister for Planning, is development of a kind that is described in Schedule 3 as a project to which Part 3A of the *EP&A Act* applies, is a project to which Part 3A applies.

Following a request made by the applicant on 19 February 2009, the Director-General of the Department of Planning, as delegate for the Minister, on 27 February 2009 confirmed that the proposal was a major project to which Part 3A of the *EP&A Act* applied.

A copy of this advice is contained in **Appendix 1**.

Clause 7(2) of the *Major Projects SEPP* gives effect to the development control measures contained in Part 5 - Schedule 3 relating to development on this land.

The *Redfern-Waterloo Authority Sites Zoning Map* referred to in Clause 7(1) of Part 5 - Schedule 3 indicates that the land is within the Business - Commercial Core zone.

The proposal represents development for the purposes of “*business premises*”, “*office premises*”, a “*registered club*”, a “*residential flat building*”, “*retail premises*” and/or “*shop top housing*” under the definitions contained in the *Standard Instrument (Local Environmental Plans) Order 2006* adopted by Clause 2(1) of Part 5 - Schedule 3.

Development for these purposes is permissible, with the Minister’s consent, within the Business - Commercial Core zone under the terms of Clauses 9(2) and (3) in Part 5 - Schedule 3.

Clause 7(2) in Part 5 - Schedule 3 requires each of the objectives for development in the zone to be considered in the determination of a development application.

A summary assessment of the proposal in terms of the objectives for the Business - Commercial Core zone is as follows.

<b>Zone Objective</b>	<b>Proposal's Response</b>
To facilitate the development of a town centre	The proposal will: <ul style="list-style-type: none"> <li>• reinforce and enhance the viability of the Town Centre;</li> <li>• provide a catalyst for further development; and</li> <li>• encourage the Centre's further renewal and revitalisation</li> </ul>
To encourage employment generating activities by providing a wide range of retail, business, office, community and entertainment facilities	The proposal will provide employment generating activities by virtue of the proposed retail/ commercial facilities and the community/entertainment facilities offered by Redfern RSL Club. It will also generate retail and service employment opportunities associated with the demand created by the proposed apartments
To permit residential development that is compatible with non-residential development	The proposed apartments are compatible with other non-residential uses proposed in the building and in the area generally. The character of the proposal is consistent with contemporary town planning principles and practice relating to mixed-use developments adjacent to town centres and major public transport nodes
To maximise public transport patronage and encourage walking and cycling	The proposal is located adjacent to major public transport services in terms of Redfern Railway Station and bus routes using Regent and Gibbons Streets. The nature and extent of the development will increase the potential patronage of these services. The site is conveniently located to the Redfern Town Centre and people are likely to walk and/or cycle to the services and facilities provided in the Centre. Provision has been made for ample on-site bicycle parking and storage in the proposed building
To ensure the vitality and safety of the community and the public domain	The proposal will enhance vitality at street level by virtue of the active retail frontages proposed along Redfern and Gibbons Streets. Improvements proposed to the public domain and the casual surveillance to be available from the various uses to be conducted on the site will optimise safety in the public domain. See also Section 7.2.2
To ensure buildings achieve design excellence	The building has been designed to achieve excellence in its design, responding to the opportunities and constraints offered by the site and its setting. See Section 7.1
To promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area	The public domain areas surrounding the site are to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>

The proposal is, therefore, consistent with the objectives of the Business - Commercial Core zone contained in Clause 9(1) in Part 5 - Schedule 3 and the relevant general provisions contained in the *Major Projects SEPP*.

## 5.1.2 Provisions of the Policy

A summary assessment of the application under the relevant provisions contained in Part 5 - Schedule 3 of the *Major Projects SEPP* is as follows.

### Provisions of Part 5 - Schedule 3 of the Major Projects SEPP

Clause	Consideration	Proposed	Compliance
2(1)	Interpretation - Land Use	The proposal represents development for the purposes of “ <i>business premises</i> ”, “ <i>office premises</i> ”, a “ <i>registered club</i> ”, a “ <i>residential flat building</i> ”, “ <i>retail premises</i> ” and/or “ <i>shop top housing</i> ” under the terms of definitions adopted by Clause 2(1). See Section 5.1.1	✓
7(1)	Zoning	The land is within the Business - Commercial Core zone as shown on the <i>Redfern-Waterloo Authority Sites Zoning Map</i>	✓
7(2)	The objectives of the Business - Commercial Core zone	The proposal is consistent with the objectives of the Business - Commercial Core zone. See Section 5.1.1	✓
9(1)	The objectives of the Business - Commercial Core zone	The proposal is consistent with the objectives of the Business - Commercial Core zone. See Section 5.1.1	✓
9(2) and (3)	Land Use Controls - Business - Commercial Core zone	Development for the purposes of “ <i>business premises</i> ”, “ <i>office premises</i> ”, a “ <i>registered club</i> ”, a “ <i>residential flat building</i> ”, “ <i>retail premises</i> ” and/or “ <i>shop top housing</i> ” is permissible, with the Minister's consent, within the Business - Commercial Core zone. See Section 5.1.1	✓
20(1)	Subdivision requires consent	The proposal seeks approval for the strata subdivision of the complex upon its completion. Clause 20(3) provides that consent is not required for subdivision under the <i>Strata Schemes (Freehold Development) Act 1973</i>	✓
21(1)	Buildings are not to exceed the maximum building height shown on the <i>Redfern-Waterloo Authority Sites Height Map</i> , which in this case is 18 storeys	The definition of storeys in Clause 2(2) excludes “ <i>mezzanines</i> ” and “ <i>basements</i> ” from being a “ <i>storey</i> ”.  The building is to have a maximum height of 18 storeys	✓
21(2)	Buildings are not to exceed the maximum floor space ratio shown on the <i>Redfern-Waterloo Authority Sites Floor Space Ratio Map</i> , which in this case is 7:1	The building is to have a floor space ratio of 7:1	✓
22(1)	Consent is not to be granted unless consideration has been given as to whether the development exhibits design excellence	The building has been designed to achieve excellence in its design, responding to the opportunities and constraints offered by the site and its setting. See Section 7.1	✓

**Provisions of Part 5 - Schedule 3 of the Major Projects SEPP**

<b>Clause</b>	<b>Consideration</b>	<b>Proposed</b>	<b>Compliance</b>
22(2)	<p>Considerations of design excellence are to include:</p> <ul style="list-style-type: none"> <li>• whether a high standard of architectural design, materials and detailing appropriate to the building type and location are achieved;</li> <li>• whether the form and external appearance of the building will improve the quality and amenity of the public domain; and</li> <li>• whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency</li> </ul>	<p>The building has been designed to achieve excellence in its design, responding to the opportunities and constraints offered by the site and its setting by:</p> <ul style="list-style-type: none"> <li>• creating a high standard architecture in terms of the building's vertical and horizontal articulation and modulation, form and detailing;</li> <li>• using a palette of materials and colours to create an interesting and attractive built form element in the Town Centre and streetscapes in this area; and</li> <li>• incorporating best-practice ecologically sustainable design features.</li> </ul> <p>The quality and amenity of public domain areas surrounding the site are to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>.</p> <p>As a result, the proposal will significantly improve the amenity of this area as viewed from the public domain and provide a catalyst and stimulus for the ongoing renewal and revitalisation of this area in the manner contemplated by the <i>Major Projects SEPP</i>.</p> <p>See also Section 7.1</p>	✓
22(3)	<p>A design competition may be required for any development over 12 storeys</p>	<p>A design competition has not been considered to be necessary in the Director-General's Requirements</p>	✓

The proposal complies with the relevant provisions of the *Major Projects SEPP*.

## 5.2 Other State Environmental Planning Policies

The following State environmental planning policies also apply to the proposed development.

### 5.2.1 State Environmental Planning Policy (Infrastructure) 2007

*State Environmental Planning Policy (Infrastructure) 2007, (Infrastructure SEPP)*, was made on 21 December 2007.

The aims of the *Policy* relevant to the consideration of this application are expressed in Clause 2 as:

- to identify matters to be considered in the assessment of development adjacent to particular types of infrastructure development; and
- to provide for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

In this regard, Part 3 of the *Policy* contains development controls relating to:

- railway infrastructure - Division 15; and
- roads and traffic infrastructure - Division 17.

The relevant provisions of Divisions 15 and 17 of Part 3 of the *Infrastructure SEPP* are addressed in the following sections.

#### 5.2.1.1 Part 3 - Division 15 - Railways

Clause 86(2) of the *Infrastructure SEPP* requires development applications that involve the penetration of ground to a depth of at least 2m below existing ground level within 25m of a rail corridor to be notified to Railcorp and Clause 86(3) provides that consent is not to issue without the concurrence of Railcorp.

Issues to be considered in the granting of this concurrence, specified in Clause 86(4), relate to:

- the potential effects of the development on:
  - the safety or structural integrity of existing or proposed rail infrastructure;
  - the safe and effective operation of that infrastructure; and
- the measures that are proposed, or could reasonably be taken, to avoid or minimise potential effects.

Issues relating to the potential effect of the proposed building works on Railcorp's infrastructure in this area have been discussed in detail with Railcorp and extensive geotechnical and structural investigations and reports have been prepared by SMEC Australia Pty Ltd and the Bonacci Group Pty Ltd, respectively.

Copies of these reports are contained in **Appendices 8** and **9**.

The conclusions of these investigations and reports are that:

- the footings of the proposed building are to be founded in high strength shale adjacent to Gibbons Street and will not impose any additional loads to the Illawarra Rail Tunnel and similarly foundation loads from the Tunnel will not impose any loads onto the proposed structure;
- the development's applied foundation loads are well below the design criteria for the proposed CBD Rail Link Tunnel and the basement excavation is to be approximately 37m above the roof of the proposed Tunnel; and
- the temporary shoring system required to support the excavation for the five (5) basement levels is to be an anchored concrete soldier pile with infill shotcrete wall system constructed in accordance with the recommendation of the Project's Geotechnical Engineer, a common site retention system used in Sydney.

Clause 87 of the *Policy* applies to residential development on land in, or adjacent to, a rail corridor that is likely to be adversely affected by rail noise or vibration.

Clause 87(2) requires any guidelines that have been issued by the Director-General to be considered in the determination of development applications, while Clause 87(3) requires the Minister to be satisfied that appropriate measures are to be taken to ensure that the following LAeq levels are not exceeded:

- 35dB(A) in any bedroom in the building at any time between 10.00pm and 7.00am; and
- 40dB(A) elsewhere in a residence at any time.

A noise and vibration assessment has been prepared by Koikas Acoustics Pty Ltd and a copy of the assessment is contained in **Appendix 10**.

The assessment is summarised in Section 5.2.1.3.

It would suffice to say that the proposal meets the guidelines issued by the Director-General and the prospective residents of the apartments in the building will enjoy a satisfactory acoustic environment in terms of the noise and vibration emanating from the rail infrastructure in this area.

An electrolysis and stray traction current report has been prepared by Cathodic Protection Services to investigate the potential for the presence of stray traction current in the ground resulting from Railcorp's infrastructure and to identify measures that should be taken to ensure that stray current does not present a corrosion hazard to the development.

A copy of this report is contained in **Appendix 29**.

The report indicates that stray traction current can be expected to be present on the site and specifies measures that need to be taken to ensure that it does not present a corrosion hazard to the development.

The development is to incorporate these measures.

### **5.2.1.2 Part 3 - Division 17 - Roads and Traffic**

The objectives of Clause 101 of the *Infrastructure SEPP* relating to development with frontage to a classified road are:

- to ensure that new development does not compromise the effective and ongoing operation and functioning of classified roads; and
- to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

Clause 101(2) requires the Minister to be satisfied that:

- where practicable, vehicular access to land is provided by a road other than a classified road;
- the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
  - the design of the vehicular access to the land;
  - the emission of smoke or dust from the development; or
  - the nature, volume or frequency of vehicles using the classified road to gain access to the land; and
- the development is not sensitive to traffic noise or vehicle emissions, or is appropriately designed or includes measures to ameliorate potential traffic noise or vehicle emissions arising from the adjacent classified road.

In addition, Clause 104(3) of the *Policy* requires applications for development of a specified scale to be notified to the Road and Traffic Authority of NSW.

The determination of the application is required to take into consideration:

- any submissions made by the Authority; and
- site accessibility, including:
  - the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips;
  - the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail; and
- any potential traffic safety, road congestion or parking implications of the development.

A traffic impact assessment of the proposed development has been prepared by Traffix.

A copy of the assessment is contained in **Appendix 11**.

The assessment concludes that:

- the development is located with good access to public transport and the site is well placed to take advantage of passing trade and reduce reliance of car-oriented journeys;
- the one hundred and forty-seven (147) parking spaces to be established are to be significantly less than that nominally required under the Roads and Traffic Authority of NSW's *Guide to Traffic Generating Development* and City of Sydney's *Development Control Plan No.11*;
- the availability of public transport services and the restrictive nature of parking are expected to result in relatively high mode share to public transport from all trips associated with the proposed development;
- the impact of the additional traffic of 61 vehicles/hour and 93 vehicles/hour expected to be generated during the AM and PM peak periods, respectively, is considered to be minimal and can readily be accommodated by the surrounding road network;
- access and internal design generally satisfies the requirements of *AS 2890* and will operate successfully and any minor inconsistencies can be readily conditioned without significantly impacting on the overall design of the development;
- a loading management plan will be required to ensure that loading and servicing vehicle movements are appropriately co-ordinated and not significantly impact on other users; and
- the development is supportable on traffic planning grounds and will operate successfully.

Clause 102 of the *Infrastructure SEPP* applies to residential development on land in, or adjacent to, any road with an annual average daily traffic volume of more than 40,000 vehicles that is likely to be adversely affected by road noise or vibration.

Clauses 102(2) and (3) of the *Policy* require any guidelines that have been issued by the Director-General to be considered in the determination of development applications, while Clause 102(3) requires the Minister to be satisfied that appropriate measures are to be taken to ensure that the following LAeq levels are not exceeded:

- 35dB(A) in any bedroom in the building at any time between 10.00pm and 7.00am; and
- 40dB(A) elsewhere in a residence at any time.

A noise and vibration assessment has been prepared by Koikas Acoustics Pty Ltd and a copy of the assessment is contained in **Appendix 10**.

The assessment is summarised in Section 5.2.1.3.

It would suffice to say that the proposal meets the guidelines issued by the Director-General and the prospective residents of the apartments in the building will enjoy a satisfactory acoustic environment in terms of the noise and vibration emanating from the road infrastructure in this area.

### **5.2.1.3 Noise and Vibration Assessment**

An acoustic and vibration assessment of the proposal has been conducted by Koikas Associates Pty Ltd.

A copy of the assessment is contained in **Appendix 10**

The assessment concludes that:

- rail noise levels of the most noise affected facades and floor levels of the development based on the maximum train movements during the day and nighttime periods comply with the noise level requirements of Rail Infrastructure Corporation/State Rail Authority guidelines;
- ground vibration was not perceived during site visits and will not give rise to structure borne noise or vibration impacts;
- calculated road traffic noise levels exceed the Department of Environment and Climate Change's *Environmental Criteria for Road Traffic Noise* for new residential development and recommended building design measures will satisfactorily attenuate noise levels to comply with the indoor sound levels nominated in *AS 2107:2000* for all traffic noise (both road and rail);
- building design measures have been recommended for the proposed Club premises. walls separating sole occupancy units and services and waste pipes achieve a satisfactory acoustic environment for the proposed apartments;
- the calculated noise levels generated by mechanical plant to the most noise affected residential and commercial receiver are within the project specific noise criterion of 51dBA and 65dBA, respectively; and
- there should be no adverse noise impacts resulting from the proposed development.

### **5.2.1.4 Summary**

The proposal will not have any adverse effect on the surrounding road and rail infrastructure in that it will:

- not affect the safety or structural integrity of existing or proposed rail infrastructure or the safe and effective operation of that infrastructure;
- make satisfactory and appropriate provision for vehicular access to the site and will not compromise the effective and ongoing operation and functioning of Gibbons Street; and
- satisfactorily address issues relating to road and rail noise and vibration.

The development will, therefore, be consistent with the relevant provisions of the *Infrastructure SEPP*.

## **5.2.2 State Environmental Planning Policy (BASIX) 2004**

*State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*, which was made on 25 June 2004, applies to this application.

The relevant aim of the *Policy*, as expressed in Clause 3(2), is to ensure consistency in the implementation of the BASIX scheme throughout the State.

The overriding aims of this *Policy* are:

- to reduce consumption of mains-supplied potable water;
- to reduce emissions of greenhouse gases in the use of buildings and land; and
- to improve the thermal performance of buildings.

A BASIX assessment, prepared by Windtech Consultants Pty Ltd, is contained in **Appendix 12** specifying the commitments to be made to achieve these outcomes.

The development is to be consistent with the provisions of this *Policy*.

## **5.2.3 State Environmental Planning Policy No.55 - Remediation**

*State Environmental Planning Policy No.55 - Remediation of Land (SEPP 55)*, which was made on 28 August 1998, applies to this application.

The aim of the *Policy*, as expressed in Clause 2(2), is to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspects of the environment by:

- specifying when consent is required, and when it is not required, for remediation works;
- specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out remediation works in particular; and
- requiring that remediation works meet certain standards and notification requirements.

Clause 7(1) of the *Policy* provides that consent for development is not to be granted unless:

- consideration has been given to whether the land is contaminated;
- if land is contaminated, consideration is given to the suitability of the land in its contaminated state for the purpose for which development is proposed; and
- if the land requires remediation, it will be remediated before the land is used for its intended purpose.

Clause 8 of the *Policy* facilitates the carrying out of remediation works on contaminated land.

A combined Stage 1 and 2 environmental site assessment has been prepared by JBS Environmental Pty Ltd.

A copy of the assessment is contained in **Appendix 3**.

The objective of the assessment was to undertake an intrusive soil investigation to determine the site suitability for a range of potential land uses involved in the redevelopment of the land.

Soil samples from across the accessible area of the site were analysed for a range of potential environmental contaminants, together with a sample from an underground storage tank located in the basement of the building.

The assessment identified:

- hot spots of polycyclic aromatic hydrocarbons;
- lead impact, exceeding the published assessment criteria for standard residential use, in fill-based soils underlying the site;
- exceedances of phytotoxicity-based criteria in fill-based soils; and
- the presence of potential acid sulfate soils marginally exceeding published assessment criteria.

However, the levels of environmental impact were found to fall below published assessment criteria for commercial/industrial and high density residential sites.

The assessment recommended that:

- the underground storage tank and any associated backfill sands present in the basement be removed and remediated, where the existing buildings are to be demolished;
- a comprehensive acid sulfate soils assessment be completed to assess the presence and extent of potential acid sulfate soils;
- where surface soils underlying the site were generally unsuitable for use in garden/accessible areas associated with residential development, top soil/growing medium should be imported to the site and areas with elevated levels of lead and benzo(a)pyrene should either require remediation or management within inaccessible areas under proposed building; and
- where near surface fill-based soils were required to be removed, they were to be classified as 'general solid waste' for disposal to a licensed landfill.

The proposal is to adopt the recommendations of the assessment.

An acid sulfate soil assessment has been prepared by SMEC Testing Services Pty Ltd.

A copy of the assessment is contained in **Appendix 13**.

The assessment concludes that:

- the land is underlain by Ashfield Shale and is not consistent with the geomorphic criteria for the presence of acid sulfate soil;
- based on on-site observations and subsurface conditions exposed by boreholes, the proposed construction will not intercept any acid sulfate soils;
- the groundwater present on the site appears to be located on the soil/rock interface, which is common in the Sydney area, and the removal of this water during construction is likely to have minimal, if any, effect on the local groundwater level;
- as a consequence, construction will not result in the lowering of any groundwater that may be present in the acid sulfate soils located some 700m from the site; and
- the proposal will not require the preparation of an acid sulfate soil management plan.

The soil conditions on the site are, therefore, considered appropriate for the proposed development and the proposal would be consistent with the provisions of *SEPP 55*.

## 5.2.4 State Environmental Planning Policy No.65 - Design Quality

*State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development, (SEPP 65)*, which was made on 26 July 2002, applies to this proposal.

The aim of *SEPP 65* is to improve the design quality of residential flat development in NSW.

A summary assessment of the proposal in terms of the design quality principles contained in Part 2 of *SEPP 65* is as follows.

<b>Principle</b>	<b>Response</b>
<p><b>Principle 1: Context</b></p> <p>Good design responds to the context defined by key natural and built features of an area and involves identification of desirable elements of the location's current character or the desired future character specified in planning and design policies in precincts undergoing change</p>	<p>The design responds to the desired future character of this precinct as envisaged by the <i>Major Projects SEPP</i>.</p> <p>This planning framework was adopted following an extensive community consultation process which included the local community, relevant public authorities and landowners.</p> <p>The proposal represents one of the early elements in the redevelopment in this section of Redfern-Waterloo in accordance with these plans.</p> <p>The proposal will not lead to the removal of any natural or landscape features</p>
<p><b>Principle 2: Scale</b></p> <p>Good design provides an appropriate scale in terms of bulk and height that suits the scale of the street and surrounding buildings and involves the establishment of an appropriate scale relative to the scale of existing development or the proposed bulk and height to achieve the scale identified for the desired future character of an area undergoing change</p>	<p>The height, bulk and scale of the development is consistent with the desired future character of the area as expressed in the <i>Major Projects SEPP</i> and represents a satisfactory design response to the opportunities and constraints offered by the site and its setting. In particular, the proposal provides a desirable streetscape element in both Redfern and Gibbons Streets and an attractive element in the Redfern Town Centre</p>
<p><b>Principle 3: Built form</b></p> <p>Good design achieves an appropriate built form in terms of building alignments, proportions, building type and the manipulation of building elements which:</p> <ul style="list-style-type: none"> <li>• define the public domain;</li> <li>• contribute to the character of streetscapes and parks, including their views and vistas; and</li> <li>• provide internal amenity and outlook</li> </ul>	<p>The design represents an appropriate built form in terms of building alignments, modulation and articulation.</p> <p>The development will significantly improve the streetscapes in this locality and will provide an interesting and attractive environment.</p> <p>The built form will provide a desirable level of amenity for the prospective residents of the complex</p>

Principle	Response
<p><b>Principle 4: Density</b></p> <p>Good design has a density appropriate for the site and its context in terms of floor space yield and densities are to be sustainable and consistent with existing density or stated desired future density in an area undergoing change.</p> <p>Sustainable densities respond to:</p> <ul style="list-style-type: none"> <li>• regional context;</li> <li>• availability of infrastructure;</li> <li>• public transport;</li> <li>• community facilities; and</li> <li>• environmental quality</li> </ul>	<p>The proposed density of the development responds to:</p> <ul style="list-style-type: none"> <li>• the desire to increase development densities in this locality to create vitality in the Town Centre and encourage the use of public transport;</li> <li>• the availability of the required utility infrastructure to support the development;</li> <li>• the site's convenient location relative to public transport facilities, shopping, service and community facilities; and</li> <li>• the environmental quality of this locality</li> </ul>
<p><b>Principle 5: Resource, energy and water efficiency</b></p> <p>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction, and involves consideration of recycling and selection of appropriate materials, passive solar design, energy efficient appliances, soil zones for vegetation and reuse of water</p>	<p>The proposal will embrace best practice for resource conservation in the construction of the building.</p> <p>The design optimises solar access, through flow ventilation and the extent of open space on the site.</p> <p>An assessment of the ecologically sustainable design features to be included in the development are outlined in the report prepared by Ecospecifier Consulting contained in <b>Appendix 14</b></p>
<p><b>Principle 6: Landscape</b></p> <p>Good design recognises that landscape and buildings operate as an integrated and sustainable system resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</p> <p>Landscape design:</p> <ul style="list-style-type: none"> <li>• builds on the site's existing features;</li> <li>• enhances the development's natural environmental performance in terms of water and soil management, solar access, micro-climate, tree canopy and habitat values;</li> <li>• contributes to a positive image and contextual fit of development;</li> <li>• optimises useability, privacy and social opportunity and equitable access;</li> <li>• respects neighbours' amenity; and</li> <li>• provides for practical establishment and long term management</li> </ul>	<p>The public domain areas surrounding the site are to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>.</p> <p>The proposed landscape design is commensurate with the site's location in the Town Centre and its setting</p>

Principle	Response
<p><b>Principle 7: Amenity</b></p> <p>Good design provides amenity through the physical, spatial and environmental quality of a development with appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access</p>	<p>The design will provide a satisfactory level of amenity for the prospective residents of the complex with the optimisation of solar access, natural ventilation and privacy throughout the site</p>
<p><b>Principle 8: Safety and security</b></p> <p>Good design optimises safety and security, both internal to the development and for the public domain and can be achieved by maximising overlooking of public and communal spaces, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces</p>	<p>The proposal has been designed to optimise safety and security both internally within the development and in the public domain by the casual surveillance that would be available of those areas from dwellings within the development.</p> <p>See also Section 7.2.2 of this assessment</p>
<p><b>Principle 9: Social dimensions</b></p> <p>Good design responds to social context and needs of the local community in terms of lifestyles, affordability and access to social facilities.</p> <p>New development should optimise housing to suit the social mix and needs in a neighbourhood or the desired future community in precincts undergoing change</p>	<p>The proposal will:</p> <ul style="list-style-type: none"> <li>• provide additional housing opportunities;</li> <li>• widen the range of affordable housing choice in this locality;</li> <li>• create employment opportunities during the construction phase of the development; and</li> <li>• increase housing densities in proximity of services, facilities and public transport.</li> </ul> <p>The proposal provides for additional housing opportunities, meeting the goals of the Metropolitan Strategy relating to urban consolidation and urban containment, and achieves this desirable social outcome without any adverse environmental impact.</p>
<p><b>Principle 10: Aesthetics</b></p> <p>Quality aesthetics require appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of development and should respond to the environment and context, particularly to desirable elements of the existing streetscape or the desired future character of an area undergoing change</p>	<p>Information regarding the composition of building elements, textures, materials and colour are to be submitted with the application.</p> <p>Photomontages of the proposal are contained in <b>Appendix 5</b></p>

The proposal represents an appropriate design response to the opportunities and constraints offered by the site and its setting and is consistent with the design quality principles enunciated in Part 2 of *SEPP 65*.

A design verification statement, prepared by the Project Architect, is contained in **Appendix 15**.

The proposal will achieve the aim of *SEPP 65* of improving the design quality of residential flat development.

### **5.2.5 State Environmental Planning Policy (Public Entertainment)**

*State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007*, made on 28 September 2007, applies to this application.

The relevant aims of this *Policy*, as expressed in Clause 3, are:

- to ensure that suitable provision is made for ensuring the safety of persons using places of public entertainment;
- to encourage the protection of the environment at the location, and in the vicinity, of places of public entertainment by (among other things) managing noise, parking and traffic impacts and ensuring heritage protection;
- to promote opportunities for buildings to be used as places of public entertainment by specifying the circumstances in which that use is complying development or exempt development;
- to promote the creation of jobs in the public entertainment industry; and
- to increase access for members of the public to public entertainment.

The *Policy* is relevant in terms of Redfern RSL Club's occupation of Level 2 in the proposed building.

A summary assessment of the application under the relevant provisions contained in the *Policy* is as follows.

#### **Provisions of SEPP (Public Entertainment)**

<b>Clause</b>	<b>Consideration</b>	<b>Proposed</b>	<b>Compliance</b>
13(1)	The use of a building for a "place of public entertainment" requires development consent	This application seeks the required consent for the re-establishment of the Redfern RSL Club into Level 2 of the proposed building	✓
14(a)	The maximum number of people to be permitted in the part of the building to be used as a "place of public entertainment" at any one time and how this number is to be monitored	The Club is to accommodate a maximum of 300 people and patronage is to be managed and regulated by the normal doorman/signing-in procedures involved with people attending registered clubs	✓
14(b)	The principles for minimising crime risk	This issue is addressed in detail in the security review report prepared by Harris Crime Prevention Services contained in <b>Appendix 16</b> . See also Section 7.2.2	✓

**Provisions of SEPP (Public Entertainment)**

Clause	Consideration	Proposed	Compliance
14(c)	Any adverse impact on people in the vicinity by any noise likely to be emitted and measures for limiting the impact	<p>A noise assessment has been prepared by Koikas Acoustics Pty Ltd.</p> <p>A copy of the assessment is contained in <b>Appendix 10</b> and the assessment is summarised in Section 5.2.1.3</p>	✓
14(d)	The hours to which the use of the "place of public entertainment" should be limited	<p>The Club proposes to maintain its existing hours of operation, which are:</p> <ul style="list-style-type: none"> <li>• 10.30am to 9.00pm on Mondays to Wednesdays;</li> <li>• 10.30am to 1.00am on Thursdays;</li> <li>• 10.30am to 11.00pm on Fridays;</li> <li>• 12.00 noon to 12.00 midnight on Saturdays; and</li> <li>• 12.00 noon to 9.00pm on Sundays</li> </ul>	✓
14(e)	Parking and traffic impacts associated with the "place of public entertainment"	<p>A traffic impact assessment of the proposed development has been prepared by Traffix.</p> <p>A copy of the assessment is contained in <b>Appendix 11</b> and the assessment is summarised in Section 5.2.1.2</p>	✓
14(f)	<p>Whether the use is to be carried out on land that comprises:</p> <ul style="list-style-type: none"> <li>• an item of environmental heritage listed in the State Heritage Register or that is subject to an interim heritage order;</li> <li>• a place, building, work, tree, relic or Aboriginal object described as an item of environmental heritage or as a heritage item in another environmental planning instrument; or</li> <li>• land identified as a heritage conservation area, an archaeological site or a place of Aboriginal heritage significance in another environmental planning instrument</li> </ul>	<p>The Club is to operate from a new building.</p> <p>Heritage and archaeological issues associated with the land have been addressed in reports prepared by Noel Bell Ridley Smith &amp; Partners Pty Ltd and Cultural Resource Management.</p> <p>Copies of these reports are contained in <b>Appendices 17</b> and <b>18</b> and their conclusions are summarised in Section 7.2.3.</p> <p>It would suffice to say that the proposal will not have any adverse effect on any heritage items on the land or in its vicinity and the land is not of archaeological significance</p>	✓

The use of Level 2 of the proposed building to re-establish the Redfern RSL Club into a new modern facility is satisfactory and appropriate in terms of the matters required to be considered under Clause 14 of the *Policy*.

## 6.0 Development Policies

### 6.1 Sydney Metropolitan Strategy

*Sydney Metropolitan Strategy - City of Cities - A Plan for Sydney's Future, (Metro Strategy)* was published by the Department of Planning in December 2005.

It provides a vision for the development of Sydney by 2031.

The *Strategy* envisages Sydney City:

- to be the heart of Global Sydney and provide the focus for national and international business, professional services, specialised shops, tourism and cultural, health, education and entertainment activities; and
- to be an integral part of a global economic corridor extending from Macquarie Park to Sydney International Airport.

The *Metro Strategy* is intended to guide the process of planning where people will live and work by 2031, setting strategic directions for Government decisions on the timing and location of investment in transport and other infrastructure.

A number of draft subregional strategies have been prepared to provide more detailed direction regarding the role of various parts of the Metropolitan area.

The land is located in the Sydney City subregion under the *Metro Strategy*.

A detailed draft *Sydney City Subregional Strategy (draft Strategy)* was publicly exhibited until 5 September 2008.

The draft *Strategy*:

- provides a framework to link local and State planning and guide public sector and government investment;
- proposes the creation of 55,000 new dwellings and 58,000 new jobs in the subregion by 2031;
- identifies places for future growth;
- outlines the requirements for a mix of housing types to cater for a changing and ageing population and to support a diverse population and workforce; and
- identifies the land as being located in the Redfern Centre precinct.

The key directions of the draft *Strategy* are:

- to reinforce the subregion's global competitiveness and strengthen its links to the regional economy;
- to ensure adequate capacity for new office and hotel developments;
- to plan for sustainable development of major urban renewal projects;
- to plan for housing choice;
- to develop an improved and increasingly integrated transport system to meet the subregion's transport needs; and
- to improve the quality of the built and natural environment, while aiming to decrease the subregion's ecological footprint.

In terms of housing, the key actions proposed by the draft *Strategy* involve:

- the creation of an average of 2,000 dwellings/annum between 2004 and 2031;
- the planning of new housing supply in major redevelopment or renewal sites, including the Redfern-Waterloo area;
- the establishment of a range of housing to cater for changing housing needs;
- the bringing of jobs and homes closer together; and
- the implementation of affordable housing initiatives.

Key environmental actions proposed in the draft *Strategy* include:

- the reduction in greenhouse gases through improved efficiency and use of renewable resources; and
- the promotion of water sensitive design.

The proposal is consistent with the *Metro Strategy* and the draft *Subregional Strategy* relating to:

- economy and employment;
- centres and corridors;
- housing;
- transport; and
- environment and resources.

The proposal represents an appropriate and desirable balance between employment opportunities and capacity, housing supply and choice and community/social and entertainment facilities.

In this way, the proposal is consistent with and meets the objectives of the *Metro Strategy* and the draft *Subregional Strategy* for development in the Redfern-Waterloo area.

## **6.2 Redfern-Waterloo Built Environment Plan (Stage 1)**

*Redfern-Waterloo Built Environment Plan (Stage 1), (BEP)*, was published by the Redfern-Waterloo Authority in August 2006.

The *BEP* was prepared following an extensive consultation program with the local community and key stakeholders and is designed:

- to stimulate economic and social revitalisation of the Redfern-Waterloo area;
- to provide a strategic planning framework to facilitate revitalisation; and
- to guide future development on strategic sites by setting development parameters and guidelines.

The underlying concept of the *Plan* involves the creation of a town centre with an economic and civic heart focused around Redfern Railway Station connected through pedestrian linkages to residential and business hubs at Australian Technology Park, North Everleigh and Redfern and Regent Streets.

The *BEP* is predicated on facilitating:

- the provision of around 18,000 jobs;
- the construction of around 2,000 new dwellings to provide greater housing choice, demographic and socio-economic mix and affordable housing;
- an upgrading of the Railway Station and civic square and public domain improvements to promote better amenity, safety and surveillance;
- the establishment of cultural and community facilities;
- improved opportunities for the establishment of Aboriginal enterprises and cultural facilities; and
- high quality urban design and architecture.

The purpose of the *Plan*, as expressed in Part 1.2, is to provide a planning framework for the redevelopment of strategic sites within the area and its land use and design strategies have been developed through an urban design analysis of:

- the area's existing and desired future regional, metropolitan and local context; and
- site specific conditions of each strategic site.

The site is located within Strategic Site E, which involves land to the south-east of the Railway Station fronting Gibbons and Regent Streets, south of Lawson Square.

A summary assessment of the proposal in terms of the strategies, land use and design concepts for strategic sites contained in Parts 3 and 4 of *BEP* is as follows.

**Redfern-Waterloo Built Environment Plan (Stage 1) Guidelines**

<b>Part</b>	<b>Consideration</b>	<b>Proposed</b>	<b>Compliance</b>
3.1	<p><b>Land Use Strategy:</b> An area in the vicinity of the site has been identified as an area for civic space which facilitates an east-west link between the Town Centre and the Railway Station</p>	<p>The public domain in Redfern Street adjacent to the site is to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>.</p> <p>The proposal will result in the creation of desirable civic space and link between the Town Centre and the Railway Station.</p> <p>The proposal is consistent with the strategies of:</p> <ul style="list-style-type: none"> <li>• growing the Town Centre around the Railway Station;</li> <li>• providing a destination for jobs and housing; and</li> <li>• providing a focus for people to meet and socialise, i.e. in the modernised Redfern RSL Club</li> </ul>	✓
	<p><b>Land Use Zoning:</b> The land is within the Business - Commercial Core zone</p>	<p>This zoning reflects the zoning of the land under Part 5 - Schedule 3 of the <i>Major Projects SEPP</i>.</p> <p>Issues relating to this zoning are addressed in detail in Section 5.1 of this assessment</p>	✓
3.2	<p><b>Urban Design Strategy</b> <b>Height:</b> The land has been identified as being suitable for buildings with a height largely of 18 storeys setback 8m from Redfern and Gibbons Streets, with 2 and/or 5 storey elements adjacent to street boundaries</p>	<p>The proposal is to comply with these height controls and is consistent with the strategies of including high-rise apartment development, affordable housing, greater housing choice and establishing a more socio-economically diverse community.</p> <p>The Redfern-Waterloo Authority is proposing to change these controls by reducing:</p> <ul style="list-style-type: none"> <li>• the existing 5 storey street wall podium in Gibbons Street to 3 storeys; and</li> <li>• the setback of the 18 storey element from Gibbons Street from 8m to 3m and from Redfern Street from 8m to 4m.</li> </ul> <p>The proposal is to comply with the proposed amended controls</p>	✓
	<p><b>Floor Space Ratio:</b> The land has been identified as being suitable for buildings with a floor space ratio of 7:1</p>	<p>The proposal is to have a floor space ratio of 7:1</p>	✓

**Redfern-Waterloo Built Environment Plan (Stage 1) Guidelines**

Part	Consideration	Proposed	Compliance
3.3	<p><b>Open Space &amp; Public Domain Strategy:</b> The area of Redfern Street in front of the site has been identified as an area of publicly accessible open space</p>	<p>The public domain area in Redfern Street is to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>.</p> <p>The proposal is consistent with the strategies of:</p> <ul style="list-style-type: none"> <li>visually and physically enhancing Redfern Street's role as a pedestrian connection between the Town Centre and the Railway Station;</li> <li>conceptually extending the civic space proposed on the western side of Gibbons Street; and</li> <li>engaging with the street by providing active street frontages and a colonnade and awning to provide shade and shelter for pedestrians along Redfern Street and Gibbons Street, respectively</li> </ul>	✓
3.4	<p><b>Infrastructure Strategy:</b> The land is to be served by the required utility service infrastructure</p>	<p>The land is served by the required utility service infrastructure</p>	✓
3.5	<p><b>Heritage Strategy:</b> The Redfern Station Booking Office has been identified as a heritage item</p>	<p>Heritage and archaeological issues associated with the land have been addressed in reports prepared by Noel Bell Ridley Smith &amp; Partners Pty Ltd and Cultural Resource Management.</p> <p>Copies of these reports are contained in <b>Appendices 17</b> and <b>18</b> and their conclusions are summarised in Section 7.2.3.</p> <p>It would suffice to say that the proposal will not have any adverse effect on any heritage items on the land or in its vicinity and the land is not of archaeological significance</p>	✓
3.6	<p><b>Transport Strategy:</b> Traffic generated by new development is to be satisfactorily managed</p>	<p>A traffic impact assessment of the proposed development has been prepared by Traffix.</p> <p>A copy of the assessment is contained in <b>Appendix 11</b> and the assessment is summarised in Section 5.2.1.2</p>	✓
	<p>The provision of bicycle facilities/storage is to be encouraged in new developments</p>	<p>Provision has been made for ample on-site bicycle parking and storage in the proposed building</p>	✓

**Redfern-Waterloo Built Environment Plan (Stage 1) Guidelines**

Part	Consideration	Proposed	Compliance
3.7	<p><b>Ecologically Sustainable Development:</b> Energy efficiency, reduction in greenhouse gas emissions, water sensitive design, waste minimisation and BASIX considerations</p>	An ESD report and a BASIX assessment, prepared by Ecospecifier Consulting and Windtech Consultants Pty Ltd are contained in <b>Appendices 12 and 14.</b>	✓
4.5	<p><b>Land Use and Design Concepts:</b></p> <p><b>Land Use Concepts</b> The establishment of a vibrant, active local hub for business, retail and residential activity around the Railway Station, with attractive, functional civic spaces and pedestrian scaled urban spaces linked by streets and laneways</p> <p><b>Proposed Design Concepts:</b> The emulation of the area as the southern gateway to the Sydney CBD</p> <p>The creation of a Town Centre which provides a vibrant focal point for Redfern</p> <p>The reinforcement of the status of the Town Centre and Redfern and Regent Streets as the main shopping streets</p> <p>The establishment of an identifiable character and appropriate urban form for the Town Centre</p>	<p>The proposed development achieves these land use concepts</p> <p>The proposal will contribute to a vibrant, culturally diverse, multi-use Town Centre acting as the southern gateway to the Sydney CBD</p> <p>The proposal will contribute to a vibrant, culturally diverse, multi-use Town Centre</p> <p>The proposal will contribute to the reinforcement of the Town Centre and Redfern and Regent Streets as the main shopping streets by providing:</p> <ul style="list-style-type: none"> <li>▪ a highly desirable and appropriately designed pedestrian connection between the Town Centre and the Railway Station; and</li> <li>▪ a resident population that will support established retail and commercial facilities in the Town Centre</li> </ul> <p>The proposal is to comply with the height and floor space ratio controls contained in the <i>Major Projects SEPP</i> and the <i>BEP</i> to achieve the desired future character of this section of the Town Centre contemplated by those plans.</p> <p>The proposed building will:</p> <ul style="list-style-type: none"> <li>• be horizontally and vertically modulated and articulated along its Redfern and Gibbons Street elevations in the manner contemplated by the <i>BEP</i>;</li> <li>• provide active retail frontages along both Redfern and Gibbons Streets;</li> <li>• not provide any blank façades or extensive car park entries to either Redfern or Gibbons Streets; and</li> <li>• provide all car parking at basement levels under the building, not visible from the public domain</li> </ul>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>

### Redfern-Waterloo Built Environment Plan (Stage 1) Guidelines

Part	Consideration	Proposed	Compliance
	The provision of a safe, high quality and pleasant public domain	The public domain areas surrounding the site are to be improved in accordance with the report and plan prepared by Scape, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 6</b>	✓

The Redfern-Waterloo Authority is proposing to amend the *BEP* to provide achievable tower floor plates and minimum site areas for tower developments.

Advice from officers of the Authority indicates that the proposal is consistent with the proposed controls.

In summary, the development:

- will be consistent with:
  - the objectives of the *BEP*;
  - the current and proposed strategies, land use and design concepts contained in Parts 3 and 4 of the *BEP*; and
- achieves the urban design outcomes fostered and promoted by the *Plan*.

## 6.3 Contribution Plans

### 6.3.1 Redfern-Waterloo Authority Contributions Plan 2006

*Redfern-Waterloo Authority Contributions Plan 2006 (Contributions Plan)*, which commenced operation on 16 May 2007, applies to this application.

The purpose of the *Plan*, as expressed in Section 3, is:

- to authorise the Minister to impose a condition requiring the payment of a development levy;
- to set out how the levy is to be determined; and
- to set out the purposes for which the levy is to be applied.

Contributions plans adopted by Sydney City Council that apply to this area are set aside by virtue of Section 7 of the *Contributions Plan*.

Section 8 of the *Plan* specifies the development levy payable is 2% of the proposed cost of the development.

A detailed cost report prepared in accordance with Schedule 3 of the *Plan* is contained in **Appendix 19** and indicates a development cost of some \$25,128,000.

On this basis, the levy applicable to the proposed development is \$502,560.

The public domain works specified in the Works Schedule accompanying the *Plan* to which the development levy is to be applied in the vicinity of the site are:

- Item 1 - new civic space and the upgrading of the Redfern Street thoroughfare, including site preparation, planting, irrigation, paving, street furniture, lighting and public art (estimated cost \$2.9million);
- Item 7 - the upgrading of the Gibbons Street public domain, including upgrading of footpaths, planting, lighting and street furniture (estimated cost \$550,000); and
- Item 10 - traffic management and/or public domain works in the vicinity of the Town Centre or other Redfern-Waterloo Authority sites to improve pedestrian safety and amenity along streets and improve traffic circulation (estimated cost \$14.8million).

Section 16 of the *Contributions Plan* provides that an application may include an offer to carry out works or provide a material public benefit toward works to which the levy is to be applied.

In this regard, the application proposes public domain works in Redfern Street and Gibbons Street, including blue stone paving of footpath areas, landscaping, lighting, street furniture and the like, with an estimated value of \$335,160.

The works are to include the works for the full width of Redfern Street outside the site, the footpath area in Gibbons Street and Redfern Lane.

A reduction in the development levy in terms of the proposed works will result in a contribution of \$167,400 being payable in accordance with the provisions of the *Contributions Plan*.

### **6.3.2 Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006**

*Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 - Redfern-Waterloo Authority Operational Area*, which commenced operation on 16 May 2007, applies to this application.

The purpose of the *Plan*, as expressed in Section 3, is:

- to authorise the Minister to impose a condition requiring the payment of an affordable housing contribution;
- to set out how the contribution is to be determined; and
- to set out the purposes for which the contribution is to be applied.

Section 8 and Schedule 1 of the *Plan* specify the contribution payable in respect to the proposed development as \$59/m<sup>2</sup> of gross floor area.

The development is to have a gross floor area of some 11,531.8m<sup>2</sup> and the required contribution is \$680,376.20.

## 7.0 Issues

### 7.1 Built Form and Urban Design

A statement, prepared by the Project Architects, outlining the philosophies underlying the design of the project is as follows.

*“The development has been designed as the first significant step in the urban renewal of the Redfern Station Precinct.*

*It will bring new commercial and retail life to the streets of Redfern, reinforce the connection between Redfern Station and the Redfern Street “High Street” shopping area and bring new residents to the area who will contribute to the social and commercial life of the area.*

*The project involves the revitalisation and re-establishment of the Redfern RSL Club, which is a long established recreational and social institution in Redfern.*

*The Club is currently hidden behind blank walls.*

*The project has been designed to house the new Club in the first floor podium structure which spans boundary to boundary and incorporates open floor to floor glazed facades to Gibbons and Redfern Streets. These facades will activate the surrounding streets, particularly at night, when the lights and entertainment in the Club will be visible from the Railway Station.*

*The entry to the Club is to be from the corner of Redfern and Gibbons Streets and forms a key architectural and urban design element that registers through four storeys of the building, stepping back at each level to accommodate the ground level arcade entry to the Club, an outdoor balcony and finally the two commercial floors with the podium.*

*The balcony and a downward cambered reflective glass façade are to be employed at first floor level over Redfern Street, together with a new shopping colonnade at ground level.*

*The cambered façade is designed to reflect the street life in Redfern Street while the retail colonnade will create opportunities for café’s and shops for people coming to work and walking to the Railway Station during the day and night.*

*Stepping retail frontages, a street widening and awnings have been designed to draw the street life generated by the Redfern Street connection and the Club entry into Gibbons Street and eventually to redevelopment planned to the south of the site.*

*A separate identifiable entry is to be established for the apartments off Gibbons Street.*

*The commercial floors have been massed to form a transition and separation between the strong presence of the Club and the residential tower.*

*The geometry of the street frontages is reflected in the Level 4 offices, which combine some two storey elements and a discrete and strongly coloured element that addresses the Gibbons Street frontage.*

*The architectural treatment of the tower has made use of wide wrap around balconies and a pattern of counterbalanced geometries, balustrade treatments, colours and deep recesses.*

*These devices give the facades a variety of scales by incorporating single and multiple storey elements.*

*The architectural effect of this treatment is that each of the apartments will have an personalised identity and collectively the building will present as a collection of individuals rather than a faceless monolith.*

*Throughout the design the objective has been to create a building that relates to people.*

*At street level it maximises the transparency of the ground and first floors and deliberately reveals the activity within the building so that barriers that might exist between building and public domain are dissolved.*

*Similarly, the treatment of the residential tower has focused on its inhabitants using extensive balconies and modulated architectural treatment to draw activity toward the face of the building and the public domain.”*

The building has been designed to be an integral element of a vibrant, active local hub for business, retail and residential activity in the area around the Town Centre and the Railway Station and will establish attractive, functional civic spaces and pedestrian scaled urban spaces.

The proposal will also establish a vital pedestrian-friendly link between the Railway Station and the Town Centre.

The building is to:

- be modulated and articulated, both horizontally and vertically, along its Redfern and Gibbons Street elevations and use a palette of materials and colours to create an interesting and attractive built form element in the Town Centre and surrounding streetscapes;
- provide vibrance and vitality to the area by establishing active retail frontages along both Redfern and Gibbons Streets;
- facilitate the modernisation of the Redfern RSL Club, an important focus for a community meeting, leisure and entertainment;
- establish an attractive and comfortable environment for pedestrians by:
  - improving the public domain areas in Redfern and Gibbons Streets in the manner depicted in the report and plan prepared by Scape, Landscape Architects, contained in **Appendix 6**, to significantly enhance the visual setting of the area; and

- having been designed to satisfactorily address pedestrian wind environment and solar light reflectivity issues associated with the proposed development in the manner outlined in the wind environment study and the solar light reflectivity analysis, prepared by Windtech Consultants Pty Ltd, copies of which are contained in **Appendices 20** and **21**;
- minimise car parking entries and eliminate blank façades to Redfern and Gibbons Streets;
- establish all car parking at basement levels under the building, so that it will not be visible from the public domain;
- incorporate best-practice ecologically sustainable design features; and
- comply with the height and floor space ratio controls contained in the *Major Projects SEPP* and the *BEP* to achieve the desired future character for development in this section of the Town Centre.

The building achieves excellence in its design, responding to the opportunities and constraints offered by the site and its setting, by:

- creating a high standard architecture, form and detailing;
- significantly improving the amenity of the area and the public domain;
- achieving the urban design outcomes fostered and promoted by the *BEP*; and
- providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Projects SEPP*.

## **7.2 Environmental Considerations**

### **7.2.1 Ecologically Sustainable Development**

The building has been designed to accord with ecologically sustainable development best practice:

- to be energy efficient;
- to optimise solar access to the building;
- to decrease total energy use in the building through a reduction in heat loss and energy consumption for the purposes of heating and cooling; and
- to reduce the current level of attributed greenhouse gas emissions and natural resource consumption.

The proposal has embraced these principles by, among other things:

- the adoption of best practice energy and water conservation measures in terms of the installation of energy and water efficient fittings and equipment;
- the optimisation of the use of the site's northerly orientation;
- the minimisation of the width of the building to allow daylight penetration and the use of less intense internal illumination within the building; and
- the adoption of best practice energy conservation measures in terms of the use of energy efficient lighting and other electrical fittings and equipment.

An assessment of the ecologically sustainable design features to be included in the building and a BASIX assessment, prepared by Ecospecifier Consulting and Windtech Consultants Pty Ltd, respectively, are contained in **Appendices 14** and **12**, respectively.

The proposal is to accord with ecologically sustainable development best practice.

### **7.2.2 Community Safety**

The development has been designed:

- to maximise safety and security in both the public and private domain areas on and surrounding the site; and
- to accord with *Crime Prevention and the Assessment of Development Applications: Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979, April 2001*, published by the Department of Planning in April 2001.

In this regard, the proposal has been designed:

- to enhance vitality at street level by virtue of the active retail frontages proposed along both Redfern and Gibbons Streets;
- to improve the public domain in accordance with the report and plan prepared by Scape, Landscape Architects, contained in **Appendix 6** to significantly enhance the visual setting of the area; and
- to optimise safety and security both internally within the development and in the public domain by the casual surveillance to be available from the various uses and activities to be conducted on the site.

A community safety report, prepared by Harris Crime Prevention Services, is contained in **Appendix 16**.

The report recommends the incorporation of features, including:

- the use of round columns in colonnade areas to minimise opportunities for concealment;
- the use of glass façades extending to footpath level to maximise casual natural surveillance opportunities;
- the use of graffiti-resistant paint on external masonry finishes;
- the installation of appropriately designed lighting along the street perimeters and at building entry points;
- management measures for the laneway between the site and the retail/commercial premises fronting Regent Street to the east of the site with the use of lighting, CCTV monitoring and access controls;
- the concealment of stormwater downpipes to prevent scaling of the building;
- the maximisation of casual natural surveillance and technical surveillance using CCTV; and
- the use of colours, lighting and access controls in the basement car parking area.

The proposal is to embrace these recommendations.

This report concludes that:

- in terms of crime prevention through environmental design (CPTED) theory and practice, the proposal will comply with the City of Sydney's Strategy and Development Application Guidelines and the NSW Police Service's Safer-By-Design protocols;
- there is no indication that the development's overall design is likely to:
  - cause, condone or promote anti-social or criminal behaviour; or
  - constitute an increased crime risk to the site or the surrounding locality; and
- the proposal's design, particularly with regard to perimeter and access security, should positively act to contain, reduce or prevent future anti-social or criminal behaviour in surrounding areas.

Accordingly, the proposal is likely to lead to a significant improvement in public safety in this locality.

### **7.2.3 Heritage and Archaeological Considerations**

Heritage and archaeological issues associated with the land have been addressed in reports prepared by Noel Bell Ridley Smith & Partners Pty Ltd and Cultural Resource Management.

Copies of these reports are contained in **Appendices 17** and **18**.

These reports indicate:

- the proposed development will not adversely affect the heritage significance of the identified heritage items in the vicinity of the site;
- the proposal addresses the land use and design concepts set out in the Redfern-Waterloo Authority's *Built Environment Plan 2006*;
- at street level the scale and proportions of the proposed development are consistent with the existing shopfronts in the area;
- the proposed development, although significantly taller than the existing building on the site, does not compromise the significance of any heritage item in its vicinity; and
- the proposal will not have any effect on any areas of archaeological significance on the land or in the vicinity of the site.

The proposal will not have any adverse effect on any heritage items on the land or in its vicinity and the land is not of archaeological significance.

### **7.2.4 Residential Amenity**

The only residential premises adjoining the site are located at a first floor level above the shops and commercial properties located on 60-68 Regent Street.

The rear of these properties are devoted exclusively to activities associated with the shop/commercial uses and the residential premises have a primary orientation and aspect to Regent Street.

These residential premises do not enjoy any private open space facilities or views to the west.

The separation between the residences and the proposed building is illustrated on Plan No.DA200.

The only other residential premises in the vicinity of the site are located at a first floor level above the shops and commercial properties located on 74-88 Regent Street to the south-east.

These properties are physically and functionally isolated from the site by the two (2) storey retail/commercial buildings on 70-72 Regent Street which extend from those properties' Regent Street boundary to their William Lane boundary.

These residential premises similarly enjoy a primary orientation and aspect to Regent Street.

A number of the residences contain private open space areas at the rear which interface with the existing four (4) level car park on 7-9 Gibbons Street to the west and which do not enjoy any significant views to the north or west.

The design of the building has taken into consideration the proposal for the redevelopment of 7-9 Gibbons Street, which extends to Marian Street to the south-west of the site, and which proposes the construction of an eighteen (18) storey mixed-use retail/commercial/ residential development for which the Director-General issued requirements to be addressed on 7 August 2008.

The Project Architects have consulted and collaborated with the architects for that development to achieve a satisfactory and appropriate interface between the proposal and the building to be constructed on 7-9 Gibbons Street.

An analysis of shadows cast by the proposed building are contained on Plans No.DA050, DA051 and DA052, prepared by Nordon Jago Architects, contained in the plans accompanying the application.

This analysis indicates that, in terms of its impact on land in the immediate vicinity of the site, the shadows cast by the building are largely subsumed by the shadows cast by the existing GCA Towers on 1 Lawson Square.

The shadows of the building would, in any event, be subsumed by buildings of the height, bulk and scale contemplated by the development standards contained in Part 5 - Schedule 3 of the *Major Projects SEPP* on adjoining and nearby properties.

The proposal will, therefore, not have any unanticipated effect on the existing level of solar access enjoyed by residents of surrounding and nearby properties.

The visual impact of the proposed building is consistent with the desired future character of development in this area as contemplated by the development standards contained in Part 5 - Schedule 3 of the *Major Projects SEPP*.

The proposal is not expected to have any significant effect on the level of privacy enjoyed by residents of existing dwellings in the immediate vicinity of the site, which are located at the first floor level above retail/commercial premises fronting Regent Street to the east and south-east of the site as a result of the nature and location of those dwellings, their separation from the proposed building and the nature, height and location of intervening development.

The redevelopment of the retail/commercial properties fronting Regent Street is problematical due to:

- the small dimensions of these allotments in terms of their width and area;
- their disparate ownership; and
- urban design issues relating to the maintenance of traditional streetscapes along Regent Street in the Town Centre.

The proposal will, therefore, have no undue or unreasonable effect on the amenity of surrounding and nearby residential properties in terms of privacy, solar access, views or visual impact.

The proposal will not have any effect on the natural environment.

In summary, the development does not raise any relevant considerations in terms of its effect on the environment or amenity enjoyed by residents of surrounding and nearby properties.

### **7.2.5 Drainage and Flooding**

A stormwater drainage plan, prepared by Neil Lowry & Associates Pty Ltd, is contained in **Appendix 22**.

The stormwater drainage system designed for the proposed building involves a combination of syphonic drainage from the main roof and conventional drainage from balconies and terrace areas.

A 10,000 litre rainwater re-use tank has been incorporated into the system.

The stored water is to be used to irrigate landscaping within community areas, while the overflow from the tank is to be connected to a new stormwater entry pit in Redfern Street.

The system is to embrace water sensitive design principles in terms of rainwater re-use and a minimum 3-star rating on tapware and water-related fixtures.

The land is not subject to flooding and the stormwater drainage plan will satisfactorily manage stormwater disposal from the site.

### **7.2.6 Access**

The proposal has been designed:

- to provide access for people with disabilities as required by the *Disability Discrimination Act 1992*;
- to promote the concept of an accessible environment for the whole community; and
- to be accessible by people with a disability in accordance with *Australian Standard 1428 - Design for Access and Mobility*.

An access report, prepared by Morris-Goding Accessibility Consulting, is contained in **Appendix 21**.

The report concludes that:

- the building design has accessible paths of travel that are continuous across all floors; and
- the proposal complies with statutory requirements pertaining to site access, common area access, accessible parking and accessible sanitary facilities.

Accordingly, satisfactory provision has been made to ensure accessibility to and within the site.

### **7.2.7 Construction Considerations**

The building has been designed to comply with the *Building Code of Australia*.

In this regard, a BCA report, prepared by Vic Lilli & Partners, is contained in **Appendix 24**.

In addition, a construction management plan, prepared by Deicorp Constructions Pty Ltd, is contained in **Appendix 25** to outline the manner in which activities associated with the construction of the project are to be managed to minimise its effect on adjoining properties and the area generally.

The construction management plan includes the measures to be implemented to mitigate potential impacts on pedestrians and cyclists during the construction phase.

A waste management plan, prepared by J.D. MacDonald, Waste Management Consultants, is contained in **Appendix 26**

This plan indicates the manner in which wastes associated with demolition, construction and the ongoing operations of the building are to be satisfactorily managed.

## **7.3 Public Domain**

The proposal has been designed to enhance the quality and amenity of the public domain by:

- the reconstruction of Redfern Street and the footpath area in Gibbons Street in front of the site;
- the widening of the Gibbons Street footpath at ground level;
- the establishment of a continuous colonnade and active street frontage along Redfern Street;
- the construction of an awning and active frontages along Gibbons Street; and
- the creation of an architectural form which will provide a podium with a built-edge definition to both Redfern and Gibbons Streets for the lower two (2) floor levels and tapering commercial office and residential building floor plates at the upper levels of the building.

A copy of the public domain report and plan prepared for the project by Scape, Landscape Architects, is contained in **Appendix 6**.

## **7.4 Public Utilities**

The public utility infrastructure required to support the proposed development includes:

- water;
- sewerage;
- electricity;
- gas;
- telecommunications;
- stormwater systems; and
- roads.

The area is currently serviced by this infrastructure.

The applicant has consulted with the Sydney Water Corporation, Energy Australia, Agility, Telstra and the Roads and Traffic Authority of NSW concerning the proposed development.

Advice concerning water, sewerage and electricity has been received from Sydney Water Corporation and EnergyAustralia.

Copies of these advices are contained in **Appendices 27** and **28**.

The advice from Sydney Water indicates that there is sufficient capacity to serve the proposed development in terms of:

- the existing 225mm water main located in Redfern Street; and
- the existing 225mm sewer main located in Gibbons Street.

EnergyAustralia has provided specifications for an electricity substation to be established on the land which is to comprise a two (2) transformer chamber accommodating 2 x 1000kVA transformers.

The chamber is to be provided in accordance with this specification.

It is evident that the existing infrastructure is either adequate or can be augmented and extended to accommodate the proposed development.

The proposal is to comply with the requirements of the relevant infrastructure providers.

## 8.0 Statutory Compliance Assessment

The following is a summary assessment of the proposed development under the heads of consideration contained in Section 79C(1) of the *Environmental Planning and Assessment Act*.

### **Section 79C(1)(a)(i) - The provisions of any environmental planning instrument**

The proposal is permissible, with the Minister's consent, and conforms with the relevant provisions of the environmental planning instruments applying to this land. See Section 5.0.

### **Section 79C(1)(a)(ii) - The provisions of any draft environmental planning instrument**

There are no relevant draft environmental planning instruments applicable to this proposal.

### **Section 79C(1)(a)(iii) - The provisions of any development control plans**

There are no relevant development control plans applying to this proposal. The proposal is consistent with the relevant development policies applying to it. See Section 6.0.

### **Section 79C(1)(a)(iiia) - The provisions of any planning agreement under Section 93F**

The proposal does not involve any planning agreement under Section 93F.

### **Section 79C(1)(a)(iv) - Matters prescribed by the Regulations**

There are no relevant matters prescribed by the *Regulations* applicable to this matter. All building work is to be carried out in accordance with the requirements of the *BCA*.

### **Section 79C(1)(b) - Likely impacts of the development**

The proposal will have no adverse or identifiable impact in terms of:

- context and setting;
- access, transport and traffic;
- the public domain;
- utilities;
- heritage;
- other land resources;
- water;
- soils;
- air and microclimate;
- flora and fauna;
- waste;
- energy;
- noise and vibration;
- natural hazards;
- technological hazards;
- safety, security and crime prevention;
- social impact;
- economic impact;
- site design and internal design;
- construction; or
- cumulative impacts.

**Section 79C(1)(c) - Suitability of the site for the development**

The proposal is suitable for the site in accordance with the provisions contained in the *Major Projects SEPP*, the desired future character of this area as specified in the *Redfern-Waterloo Built Environment Plan (Stage 1)* and in terms of the opportunities and constraints offered by the site and its setting.

**Section 79C(1)(d) - Submissions**

Any submission received following the notification of the application is to be considered in the determination of this application.

**Section 79C(1)(e) - Public interest**

There is no issue of public interest that should preclude the approval of this proposal.

In fact, the public interest would best be served by the approval of this application having regard to:

- the proposal achieving excellence in its design, responding to the opportunities and constraints offered by the site and its setting, by:
  - creating a high standard architecture, form and detailing;
  - significantly improving the amenity of the area and the public domain;
  - achieving the urban design outcomes fostered and promoted by the *BEP*; and
  - providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Projects SEPP*;
- the proposal representing a desirable urban design outcome for the development of this site in the context of the desired future character of the Redfern-Waterloo area and the Redfern Town Centre;
- the proposal's consistency with:
  - the objectives of the Business - Commercial Core zoning of the land and the planning principles relating to development in this zone contemplated by the *Major Projects SEPP*; and
  - the desired future character of the area contemplated by the *Redfern-Waterloo Built Environment Plan (Stage 1)*;
- the provision of additional housing opportunities;
- the widening of housing choice;
- the increase in housing densities in an area planned for more intensive development;
- the proposal's positive benefit of providing additional housing opportunities without any adverse environmental effects; and
- the employment opportunities that will result during both the construction and operational phases of the development.

## 9.0 Conclusion

The proposal is permissible, with the Minister's consent, under the terms of the *Major Projects SEPP* and conforms with all of the relevant provisions of the *Policy*.

The proposal is consistent with:

- the objectives of the Business - Commercial Core zoning of the land and the planning principles relating to development in this zone contemplated by the *Major Projects SEPP*; and
- the desired future character of the area contemplated by the *Redfern-Waterloo Built Environment Plan (Stage 1)*.

The proposal has been designed to achieve excellence in its design, responding to the opportunities and constraints offered by the site and its setting, by:

- creating a high standard architecture, form and detailing;
- significantly improving the amenity of the area and the public domain;
- achieving the urban design outcomes fostered and promoted by the *Redfern-Waterloo Built Environment Plan*; and
- providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Projects SEPP*.

The proposal represents a desirable urban design outcome for the development of this site in the context of the desired future character of the Redfern-Waterloo area and the Redfern Town Centre.

The proposal conforms with the objectives and controls contained in the relevant policies applying to the redevelopment of the land

The development represents an appropriate urban design response to the opportunities and constraints offered by the site and its setting and will be compatible and consistent with the planned future character of this locality.

The development will provide an interesting and attractive element in this section of the Redfern Town Centre, particularly in the Redfern and Gibbons Streets' streetscapes.

The proposal will have no undue or unanticipated impact on the amenity enjoyed by surrounding properties in terms of overshadowing, loss of privacy, loss of views or visual impact.

The public interest would best be served by the approval of this application.

Adequate provision is to be made for the off-street parking and access needs generated by the development.

The proposal will not adversely impact on the efficiency and effectiveness of the surrounding road network.

The proposal conforms with the statutory heads of consideration contained in Section 79C of the *Environmental Planning and Assessment Act 1979*.

Accordingly, the application is suitable for approval.