

600-660 Elizabeth Street, Redfern

State Significant Development Assessment Report (SSD-51274973)

September 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Executive Summary

This report details the Department's assessment of the State Significant Development (SSD) application (SSD-51274973) for the redevelopment of 600-660 Elizabeth Street, Redfern, within the City of Sydney local government area (LGA).

Bridge Housing Limited (the Applicant), on behalf of Homes NSW, proposes to demolish the existing PCYC building and structures on the site and construct and operate a mixed-use development comprising three social, affordable, and specialist disability accommodation buildings, a new community centre, and a small office space.

The project is SSD as it is development carried out on behalf of the Land and Housing Corporation (now Homes NSW) that has an EDC of more than \$30 million. Therefore, the Minister for Planning and Public Spaces is the consent authority under section 4.5A of the EP&A Act.

The Department exhibited the Environmental Impact Statement (EIS) from Thursday 7 November until Wednesday 4 December 2024. During the exhibition period, the Department received advice from nine Government agencies and a submission from City of Sydney Council providing comments on the application. The Department also received 23 submissions from the public, including nine submissions objecting to the application.

Key concerns raised in submissions related to bulk and scale, flooding and stormwater, mix and management of housing and amenity impacts.

The Applicant provided a Response to Submissions (RtS) report and further additional information addressing the issues raised. The Applicant also proposed changes to flood management strategies, the design of landscaped and public domain areas, the design of the shared building basement, the community building, and residential apartments.

The Department has assessed the merits of the proposal in accordance with section 4.15(1) of the EP&A Act, the issues raised in the submissions and agency advice, and the Applicant's response. The Department considers the project to be acceptable as:

- it supports the NSW Government priorities to deliver well-located housing by providing a total of 355 homes, including 197 affordable homes, 147 social homes, and 11 specialist disability accommodation units close to public transport, jobs and services
- it provides significant public benefits through the provision of 100% social, affordable and specialist disability housing, a new replacement community facility, new pedestrian connections and widened street footpaths
- it achieves design excellence and delivers a built form of an appropriate height, bulk, scale and density that is compatible with the desired future character of this site and the surrounding area
- while the development proposes minor variations to height and floor space controls, these exceedances have sufficient and justifiable environmental planning grounds and do not materially change the scale or capacity of the development that was planned for this site

- it provides a high standard of amenity for future residents, including appropriately sized apartments, good solar access and natural ventilation, and communal and private open space
- it would not result in unreasonable overshadowing, view loss, wind, or privacy impacts to neighbouring properties
- it would not lead to unreasonable flood impacts or risks, and a range of conditions are recommended to effectively mitigate and manage flood impacts.

For these reasons, the Department considers the project to be in the public interest and recommends it be approved, subject to the recommended conditions.

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1. Introduction

1.1. Project location

The site is located at 600 – 660 Elizabeth Street Redfern, within the City of Sydney (Council) local government area (LGA). The subject site is shown in **Figure 1** and the project location details are summarised in **Table 1**.



Figure 1 | The site and context (Source: Nearmap and Department edits)

Table 1 | Key aspects of the site location and conditions

Aspect	Description
Address	600-660 Elizabeth Street, Redfern
Local government area	City of Sydney Council
Legal description	Lot 1 in Deposited Plan 1249145
Site area	Approximately 1.085 hectares
Existing development	<p>The site is largely vacant, occupied by mature vegetation and fenced.</p> <p>The South Sydney Police Citizens' Youth Club (PCYC) building located in the southern part of the site provides community facilities, including rooms for recreation and study, basketball courts, a playground, and a car park.</p>

Aspect	Description
Surrounding development	<p>The site is in an existing urban area characterised by a mix of high-density and multi-dwelling residential buildings and some non-residential land uses for the local community.</p> <ul style="list-style-type: none"> • To the north, Kettle Street ends in a cul-de-sac at the corner with Elizabeth Street, featuring three to four-storey apartments used as social housing. To the north-west lies William McKell Place, a 10-storey social housing building. • To the east is Walker Street, ending as a cul-de-sac at Phillip Street, with three-storey apartments and two-storey terraces used as social and private housing. Beyond this is Poet's Corner, a series of 17-storey social housing buildings. • To the south is Phillip Street and a series of one to three storey private market housing buildings and some ground floor businesses fronting Elizabeth Street. • To the west is Elizabeth Street and Redfern Park, which is a regional park that includes a skatepark, passive open space, and the home-ground oval for the South Sydney National Rugby League (NRL) team. On the western side of Redfern Park are a mixture of four to five storey apartments, commercial uses, and two storey terraces.
Topography	<p>The site is relatively flat, rising by approximately 0.5 m from Phillip Street to Kettle Street.</p>
Existing access	<p>The site borders Phillip, Kettle, and Walker Streets, all local roads, and Elizabeth Street, a regional road. The PCYC building has two vehicle crossovers on Phillip Street. There are also unused, fenced crossovers on Elizabeth and Kettle Streets.</p> <p>The site is adjacent to bus stops on Elizabeth Street and Phillip Street and is a 1 km walk from Redfern Train Station and a 900 m walk from the Waterloo Metro Station.</p>
Heritage	<p>The site is not heritage listed or in a conservation area but is in proximity to local heritage items.</p>
Vegetation	<p>There are 66 existing trees on the site and in the adjoining road reserve, which are a mixture of native and introduced species.</p>
Flooding	<p>The existing site acts as flood storage during storm events and is affected by overland flow travelling from the north and the south that ponds at a topographical low point at the intersection of Phillip Street and Walker Street. The depth of flood waters at this intersection varies between storm events, reaching up to 2.8 m during the Probable Maximum Flood (PMF) event.</p>
Soil	<p>Groundwater was measured at relatively shallow depths (1.4 m to 3.5 m) and the site is identified as being affected by potential and actual acid sulfate soils.</p> <p>Areas of fill and underlying areas contain contaminants greater than the assessment criteria for residential development, and the south-western corner of the site is also affected by asbestos-containing materials.</p>

Aspect	Description
Easements and covenants	There are no registered restrictions or covenants within the site.

1.2. Related projects and works

1.3. Planning Proposal

In February 2022, City of Sydney Council finalised a Planning Proposal (PP-2020-456) in partnership with the NSW Land and Housing Corporation (LAHC) to impose site-specific planning controls for this site under the Sydney Local Environment Plan 2012 (SLEP 2012) and to implement a Design Guide for refining the detailed design of future buildings and landscaped areas.

The adopted SLEP 2012 controls require that the development provide at least 30% social/affordable housing, that the existing PCYC building be replaced with a new 3,500 m² community facility, that the development achieve greater energy and water BASIX standards, and that future development consider the Design Guide.

2. Project

2.1. Project overview

The proposal seeks approval to demolish the existing PCYC building and structures on the site and construct and operate a mixed-use development comprising three residential buildings, a new community centre, and a small office space.

The key aspects of the proposed development (as amended) are summarised in **Table 2**. The proposed site layout is shown in **Figure 2** below, and renders of the proposed buildings are included at **Figure 3** to **Figure 5**.

Table 2 | Key aspects of the project

Aspect	Description
Site establishment	<ul style="list-style-type: none">• Demolition of the existing PCYC building and associated structures.• Earthworks, including excavation for the basement and fill in the north-west corner to achieve flood planning levels.• Removal of 53 trees within the site and at the street frontages along with the retention of 13 trees on the Kettle and Walker Street frontages.• Utilities and services works.
Built form	<p>Construct four new buildings comprising:</p> <ul style="list-style-type: none">• Building S1 – a 3-storey (RL 47.72 m) community centre with 3,535 m² of gross floor area (GFA) providing a multi-purpose court, gymnasium, education/meeting spaces, and office/administration areas.• Building S2 – a part 10-storey (RL 66.1 m) and 14-storey (RL 81.2 m) affordable housing building with 14,557 m² of GFA providing 197 apartments and a rooftop communal open space area with gardens, play/exercise areas, kitchen and gathering spaces.• Building S3 – a part 4-storey (RL 50.22 m), 7-storey (RL 57.07 m) and 10-storey (RL 66.72 m) social housing building with 7,685 m² of GFA providing 108 apartments, and a level 4 communal open space area with planting and seating areas.• Building S4 – a 5-storey (RL 51.11 m) mixed-use building with 3,238 m² of GFA providing 39 social apartments, 11 disability apartments, 837 m² of ground floor office space, 167 m² of ground floor community space, and a rooftop communal terrace.
Dwellings	<p>The project provides a total 355 dwellings comprising 197 affordable housing units, 147 social housing units, and 11 specialist disability accommodation units of the following mix:</p> <ul style="list-style-type: none">• 47 x studios (13.2%).• 141 x 1-bedroom units (39.7%).• 151 x 2-bedroom units (42.5%).• 16 x 3-bedroom units (4.5%).

Aspect	Description
Gross floor area	<p>The development comprises the following floor space:</p> <ul style="list-style-type: none"> • 25,480 m² of residential GFA. • 3,702 m² of community GFA. • 837 m² of commercial GFA.
Public domain and landscaping	<ul style="list-style-type: none"> • Two ground floor communal courtyards located adjacent to Buildings S2 and S3. • Two through-site pedestrian links (north/south and east/west) that are accessible to both residents and the public. • Footpath widening along Elizabeth Street by 2 m and Phillip Street by 1.2 m. • Podium and rooftop communal open space areas for Buildings S2, S3 and S4 including planter boxes, vegetable gardens, children's play areas, and BBQs. • Tree and understorey planting across the site.
Access and parking	<ul style="list-style-type: none"> • A single level of basement car parking providing 66 residential parking spaces (including 16 accessible spaces and 5 electrical vehicle charging spaces, and 2 potential 2 car share spaces), 7 motorcycle parking spaces and 3 spaces for 6.4 m long vans to be used for loading/servicing. • A basement loading dock providing 1 space for a small rigid vehicle and 1 space for a 10.6 m long waste truck. • Bicycle parking and facilities comprising: <ul style="list-style-type: none"> – 355 spaces for residents and 8 spaces for community/commercial staff in the building basement and 50 parking racks in the public domain for visitors. – 2 showers and change cubicles, and 13 personal lockers for staff.
Signage	<p>Signage zones for the future detailed design and installation of signage, including:</p> <ul style="list-style-type: none"> • 3 x business identification zones on the northern and western facades of Building S1. • 3 x building identification zones on the southern and western facades of Building S4.
Operations	<p>The community centre (Building S1) would operate between 6 am-10 pm on weekdays, and 7 am-7 pm on weekends. All remaining buildings would operate 24/7 by Homes NSW, Bridge Housing, or an alternative community housing provider.</p>
Staging	<p>The project will be delivered in 4 stages, comprising:</p> <ul style="list-style-type: none"> • Stage 1 – site establishment works and demolition of the PCYC building and structures. • Stage 2 – start construction on Buildings S2, S3 and S4 and use the Building S1 site as a construction compound. • Stage 3 – complete Buildings S2, S3 and S4 and commence the construction of Building S1. • Stage 4 – handover all landscaping and public domain works and complete Building S1.
Development cost and jobs	<p>120 full time equivalent (100 direct and 20 indirect) operational jobs and 748 construction jobs.</p>



Figure 2 | Site layout (Source: Applicant's RTS with Department edits)



Figure 3 | The site and proposed development (outlined in red) in context, looking north east (Source: Applicant's EIS)



Figure 4 | Buildings S1 and S2 viewed from Elizabeth Street looking south (Source: Applicant's RtS)



Figure 5 | Buildings S3 and S4 viewed from Phillip Street looking north west (Source: Applicant's EIS)

3. Policy and statutory context

3.1. Housing supply

The NSW Government has a target to deliver 377,000 well-located homes over the next five years, as part of the National Housing Accord, which aims to deliver a national target of 1.2 million new, well-located homes over five years to June 2029.

In December 2023, the Department introduced a new SSD pathway for the Land and Housing Corporation and the Aboriginal Housing Office to deliver social and affordable housing with an EDC of over \$30 million, or where the development would deliver more than 75 new homes. This reform aims to support the delivery of social and affordable housing developments by these agencies.

3.2. Permissibility and assessment pathway

Details of the legal pathway under which consent is sought and the permissibility of the project are provided in **Table 3** below.

Table 3 | Permissibility and assessment pathway

Consideration	Description
Assessment pathway	The project is declared SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP). The proposed development is not permissible without development consent under Part 4 of the Act.
Consent authority	The Minister is the consent authority under section 4.5(a) of the EP&A Act.
Decision-maker	The Minister for Planning and Public Spaces is the consent authority because the application was lodged on behalf of LAHC.
Permissibility	<p>The site is zoned R1 General Residential under SLEP 2012. Residential flat buildings and community facilities are permitted with consent in this zone.</p> <p>The proposed office space (commercial premises) at the ground floor of Building S4 is prohibited in the R1 General Residential land use zone.</p> <p>The SSD application is, therefore, partly prohibited in accordance with Section 4.38(3) of the EP&A Act.</p>

3.3. Other approvals and authorisations

The project will not require an environment protection licence issued by the NSW Environment Protection Authority under section 42 of the *Protection of the Environment Operations Act 1997*.

Under section 4.41 of the EP&A Act, several other authorisations required under other Acts are not required for SSD as all relevant issues are considered during the assessment of the SSD application.

Under section 4.42 of the EP&A Act, certain approvals cannot be refused if they are necessary to carry out the SSD (e.g. Section 138 of the Roads Act 1993). These authorisations must be substantially consistent with any SSD development consent for the project.

The Department has consulted with, and considered the advice of, the relevant Government agencies responsible for these other authorisations in its assessment of the project (see **Section 4** and **Section 5**). Suitable conditions have been included in the recommended conditions of consent (see **Appendix F**).

3.4. Planning Secretary's environmental assessment requirements

The Department's review determined that the Applicant's EIS and additional information address the Planning Secretary's environmental assessment requirements (SEARs) issued on 16 December 2022 and are sufficient to enable an adequate consideration and assessment of the project for determination purposes.

3.5. Mandatory matters for consideration

Mandatory matters for consideration include:

- matters of consideration required by the EP&A Act
- objects of the EP&A Act and ecologically sustainable development (ESD)
- biodiversity development assessment report
- matters of consideration required by the EP&A Regulation
- matters of consideration required by environmental planning instruments.

The Department's consideration of these matters is summarised in **Appendix D**. As a result of this consideration, the Department is satisfied that the development meets the statutory requirements.

4. Engagement

4.1. Exhibition of the EIS

After accepting the development application and EIS, the Department:

- publicly exhibited the project from Thursday 7 November until Wednesday 4 December on the NSW Planning Portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from the relevant Government agencies and City of Sydney Council (Council).

The Department also conducted a site visit on 12 December 2024.

During the exhibition period, the Department received:

- advice from 9 Government agencies
- a submission from City of Sydney Council providing comments
- 23 submissions from the public (3 submissions from special interest groups and 20 submissions from individuals) comprising 8 submissions supporting the application, 6 submissions providing comments, and 9 submissions objecting to the application.

4.2. Summary of advice received from government agencies

The Department received advice from 9 Government agencies on the EIS, Response to Submissions (RtS) report, and the Applicant’s additional information. A summary of the final agency advice is provided in **Table 4** below.

A link to the full copy of the advice is provided at **Appendix B**.

Table 4 | Summary of final agency advice

Agency	Advice summary
Conservation Programs, Heritage & Regulation Group (CPHR)	<ul style="list-style-type: none">CPHR issued a BDAR waiver confirming the development was not likely to have any significant impacts on biodiversity values.Confirmed the site is located within an overland flow path and the development introduces complexities requiring a careful assessment of flood behaviour, hydraulic performance, and safety for both occupants and the surrounding community. CPHR considers that while additional information has been provided by the proponent, the information does not fully address the issues previously identified and does not demonstrate that the flood risk can be appropriately managed.
NSW State Emergency Service (SES)	<ul style="list-style-type: none">SES recommended careful consideration of the risks associated with placing accommodation for a vulnerable population (specialist disability accommodation) at this location and the suitability of this location for a development of this type and recommended seeking the advice of CPHR

Agency	Advice summary
	<p>regarding the impact of the proposed development on surrounding land including flood behaviour.</p> <ul style="list-style-type: none"> • SES does not support sheltering in place as a strategy for new developments.
Transport for NSW (TfNSW)	TfNSW raised no concerns with the proposal, subject to conditions.
Heritage NSW European Heritage (HNSW EH)	HNSW EH recommended conditions that the Applicant appoint an excavation director, update their Archaeological Research Design and Excavation Methodology to guide investigations beneath the PCYC building, and implement an unexpected relics and human remains procedure.
Heritage NSW Aboriginal Cultural Heritage (HNSW ACH)	HNSW ACH considers the ACHAR is sufficient to address the SEARs and recommends the Applicant include Aboriginal heritage management procedures as part of the future Construction Environmental Management Plan and update the Registered Aboriginal Parties who participated in the original ACHAR on the approved development.
NSW Environmental Protection Agency (EPA)	The EPA raised no concerns with the proposal subject to conditions.
Sydney Water	<p>Sydney Water did not raise any concerns with the proposal and noted that water and wastewater servicing would be available for the site, but that amplifications, adjustments, deviations and/or minor extensions may be required.</p> <p>Sydney Water recommended conditions for the detailed design of the Applicant's servicing and requested that tree planting consider potential impacts to Sydney Water assets.</p>
NSW Police	NSW Police provided a list of recommendations to be adopted as a condition of consent for the delivery of the safest possible development.
Fire and Rescue NSW (FRNSW)	FRNSW confirmed there were no comments or recommendations, and no requirements for this development beyond those specified by the applicable legislation.

4.3. Summary of Council submissions

Council provided comments on the application in their submission on the EIS, and subsequent feedback on the RtS and additional information documents. A summary of Council's final comments is provided in **Table 5** below. A link to the full copy of Council's submissions and feedback is also provided at **Appendix B**.

Table 5 | Summary of final Council advice

Agency	Advice summary
City of Sydney Council	<ul style="list-style-type: none"> • Council agreed to the Applicant's public benefit offer for land dedication and the provision of easements, and recommends the signed offer is formally accepted by Council prior to determination. • Council requested providing further 3 + bedroom units. • Council waived the requirement for public art as part of this social/affordable housing project, but requests that any future public art (if installed) should be developed with Council. • Council supported providing the minimum applicable development contributions under Council's Contributions Plan and in accordance with the relevant Planning Circular. • Council noted the period of isolation during the Probable Maximum Flood event would be longer than the maximum period in the NSW Shelter in Place Guidelines and requested a condition that the development complies with the flood planning levels and submits a flood risk management plan prior to occupation. • Council also recommended conditions for designing bicycle parking lockers and the preparation of a Loading Dock Management Plan, an updated Arboricultural Impact Assessment, a noise management plan for the community building, and construction management plans.

4.4. Summary of public submissions

The Department received 23 submissions during the public exhibition period of the EIS (3 submissions from special interest groups and 20 submissions from individuals). In summary, 9 submissions objected to the project, 8 submissions supported the project, and 6 provided comments.

The key issues raised by the public are detailed in **Table 6** below, and a link to all submissions in full is provided at **Appendix B**.

Table 6 | Key issues raised in public submissions

Issue	% of Submissions
Provision of housing <ul style="list-style-type: none"> • Support the provision of additional housing, of social and affordable housing, and denser housing close to transport and services 	43%
Housing mix and management <ul style="list-style-type: none"> • Request that all homes be built, owned, and managed by the NSW Government and that more than 10% of housing is allocated to Aboriginal households • A mix of private and public housing on the site is needed vs the provision of social and affordable housing should be maximised 	35%

Issue	% of Submissions
Bulk and scale <ul style="list-style-type: none"> The height of the proposed buildings is excessive and would be out of character, and the street setbacks are too narrow The buildings would fit the Planning Proposal envelopes and are reasonable 	35%
Amenity impacts <ul style="list-style-type: none"> The development would reduce daylight and cast long shadows, impact privacy, result in windier streets, remove views of the city, and would be noisy 	35%
Parking and vehicle access <ul style="list-style-type: none"> The proposed parking is insufficient, and it will increase demand for street parking Concerns for the development using a single driveway 	26%
Construction impacts <ul style="list-style-type: none"> Concerns for construction workers using street parking, trucks idling in the street, asbestos and contaminated soil removal, and noise and dust impacting quality of life 	22%
Tree removal <ul style="list-style-type: none"> Concerns for tree removal on Walker Street, and requests for additional tree planting on Kettle Street and larger habitat trees across the site 	13%
Social impacts <ul style="list-style-type: none"> Social housing will generate more crime and anti-social behaviour Concern for the closure of the PCYC building and loss of sports courts 	13%

The Department also received community feedback outside of the public exhibition process through 70 form emails. These form emails requested that development provide 100% public housing, raised concerns with Homes NSW partnering with Bridge Housing to redevelop the site, and requested that Homes NSW build, own, and manage all buildings.

4.5. Response to submissions

On 1 May 2025, the Applicant provided a submissions report addressing the advice from Government agencies and Council and the issues raised in public submissions.

The Department published the submissions report on the NSW Planning Portal and referred it to relevant Government agencies and Council for comment.

The Response to Submissions (RtS) report identified changes to the flood management strategies, the detailed design of landscaped and public domain areas, and amendments to the shared building basement, the community building, and residential apartments as detailed at **Appendix A**.

No changes were made to the overall height, scale, or layout of the development.

4.6. Additional information

On 27 June 2025, the Applicant provided additional information addressing Council and CPHR's final advice in relation to the RtS. The additional information further clarified the Applicant's stormwater infrastructure design and flood management strategies and provided revised overshadowing modelling and waste management procedures.

The only amendment to the design was to introduce an access door and internal steel stairs to the flood storage tank for maintenance activities.

5. Assessment

The Department has considered the proposal, the issues raised in submissions, and the Applicant's response in its assessment of the application. The Department considers the key issues associated with this application are:

- built form
- amenity; and
- flooding.

Consideration of the relevant assessment issues is provided through **Section 5**. The statutory assessment at **Appendix D** of this report also provides an assessment of other issues.

5.1. Built form

5.1.1. Design excellence

A Design Excellence Strategy was endorsed by the Office of the Government Architect NSW (GANSW) prior to lodging the development application. The Strategy specified three processes to be undertaken to select and refine the design of buildings and public domain areas, being:

- a competitive design alternatives process for Building S2 in accordance with Council's Competitive Design Policy
- an invited expression of interest process for Building S1, and
- a design review process for all buildings and the public domain areas using the same jury/selection panel as the competition and expression of interest processes

GANSW endorsed these design processes for their ability to achieve a high-quality architectural and landscape design and to ensure a variety of architectural practices contributed to the redevelopment of the site.

The Applicant met with the Design Review Panel (DRP) on four occasions prior to lodging the development application, and on a further occasion during the assessment process. The DRP confirmed that the design was capable of achieving design excellence and identified a range of items that needed clarification or amendment in the design. The Applicant's RtS responded to the matters raised by the DRP and amended the design.

The Department has had regard to the matters set out in Clause 6.21C(2) of SLEP 2012 in considering whether the proposal exhibits design excellence and concludes that, through the assessment in **Section 5** and **Appendix D**, the proposal achieves a high standard of architectural and landscape design, noting the following:

- the proposal achieves the overall maximum capacity planned for the site and does not block any significant view corridors (see **Section 5.1.2**) or impact any surrounding heritage items or conservation areas (see **Section 5.4**)

- the proposed design, materials, and detailing have effectively reduced the bulk of the buildings, created visual interest, and resulted in four high-quality buildings (see **Section 5.1.2** and **Section 5.4**)
- the development improves the quality of the public domain by providing new through-site links, landscaped courtyards, and widened street footpaths (see **Section 5.4**)
- the development provides a range of landscaped areas, including ground-floor communal open space areas, rooftop and podium communal open space areas, landscaped setbacks, and new tree planting across the site (see **Section 5.4**)
- the development achieves a high standard of sustainability and supports the use of sustainable and active transport (**Section 5.4**).

The Department is therefore satisfied the development achieves design excellence and recommends that the Applicant's design team have direct involvement in the design documentation and tender stages of the project to ensure design integrity.

5.1.2. Building height, bulk and scale

Public submissions considered the street setbacks to be too narrow and the heights of the proposed buildings to be excessive and out of character with the surrounding area. Some public submissions also identified potential view loss because of the development's scale.

Council considered the proposed design deviated from the Design Guide, including the height in storeys controls, but recommended that the project be assessed on its merits.

The Applicant noted the development had been designed to achieve the capacity that was planned for at the Planning Proposal stage, and it responds to the more detailed design strategies outlined in the Design Guide. While the development would vary the floor space ratio (FSR) and maximum building heights development standards in SLEP 2012, the variations are minor and do not increase the overall planned capacity of the site or further intensify land uses.

The Department has carefully reviewed the bulk and scale of the proposal, including the issues raised in submissions, and finds the proposal is acceptable for the following reasons:

- the buildings comply with the maximum building heights in SLEP 2012, with the exception of a 0.32 m variation for a section of Building S3's podium balustrade that does not materially increase the bulk or scale of the building (refer to the further discussion in **Appendix E**)
- the variation to the FSR control of 1,612 m² (or 6.5%) results from the development being unable to meet aspirational sustainability targets that would allow access to bonus floor space, however, the overall development remains within the maximum FSR set for this site at the Planning Proposal stage (of 2.44:1) ensuring the proposal does not increase the planned maximum capacity for the site (refer to the further discussion in **Appendix E**)
- while the development varies the building height controls in the Design Guide, including removing the 6-storey edge to Walker Street and adding an extra storey in other parts of the site, it responds well to the Design Guide's aim for future character by stepping down in height to Phillip Street and Redfern Park and maintaining a consistent 3-4 storey scale at these lower-density edges. (see **Figure 5** above)

- the Building S1 floorplate is longer than other buildings on Elizabeth Street, but the absence of a defined streetscape or fine-grain context means there is limited character for this building to respond to, and the proposed floorplate enables larger internal spaces to provide facilities like sports courts
- Building S2 also presents a longer eastern façade to Walker Street than neighbouring buildings, but it effectively uses balconies, stepped building heights, and varied materials to create visual breaks and reduce the bulk of the building (see **Figure 6** below)
- the development uses a range of design measures to articulate the building facades, including projecting windows and hoods, coloured recesses, scalloped facades, and varied building materials to segment buildings and reduce their perceived height and lengths
- the development generally complies with the street setbacks in the Design Guide, including providing a larger setback to Elizabeth Street and Phillip Street to enable footpath widening
- the minor building articulation elements, entrance stairs, and overhangs that extend into the ground floor setbacks are necessary for access and assist in breaking-up the bulk of the development
- the scale of the proposed buildings does not prevent the delivery of a high-quality ground plane as discussed in **Section 5.4**, and
- the environmental impacts of the height, bulk and scale of the development are reasonable as explored through **Section 5**.

While the Department acknowledges the development would be more visually prominent than the current PCYC building and would alter the site's character, it considers the extent of this change aligns with the site's strategic context, recently adopted built form controls, and the taller buildings to the east (see **Figure 7**).

The Department also notes the site isn't part of a significant view corridor and would not result in any significant visual or amenity impacts on nearby properties. Therefore, the Department is satisfied the proposed height, bulk, and scale of the development is acceptable.



Figure 6 | Building S1, S2 and S3 viewed from Walker Street looking south-west (Source: Applicant's EIS)

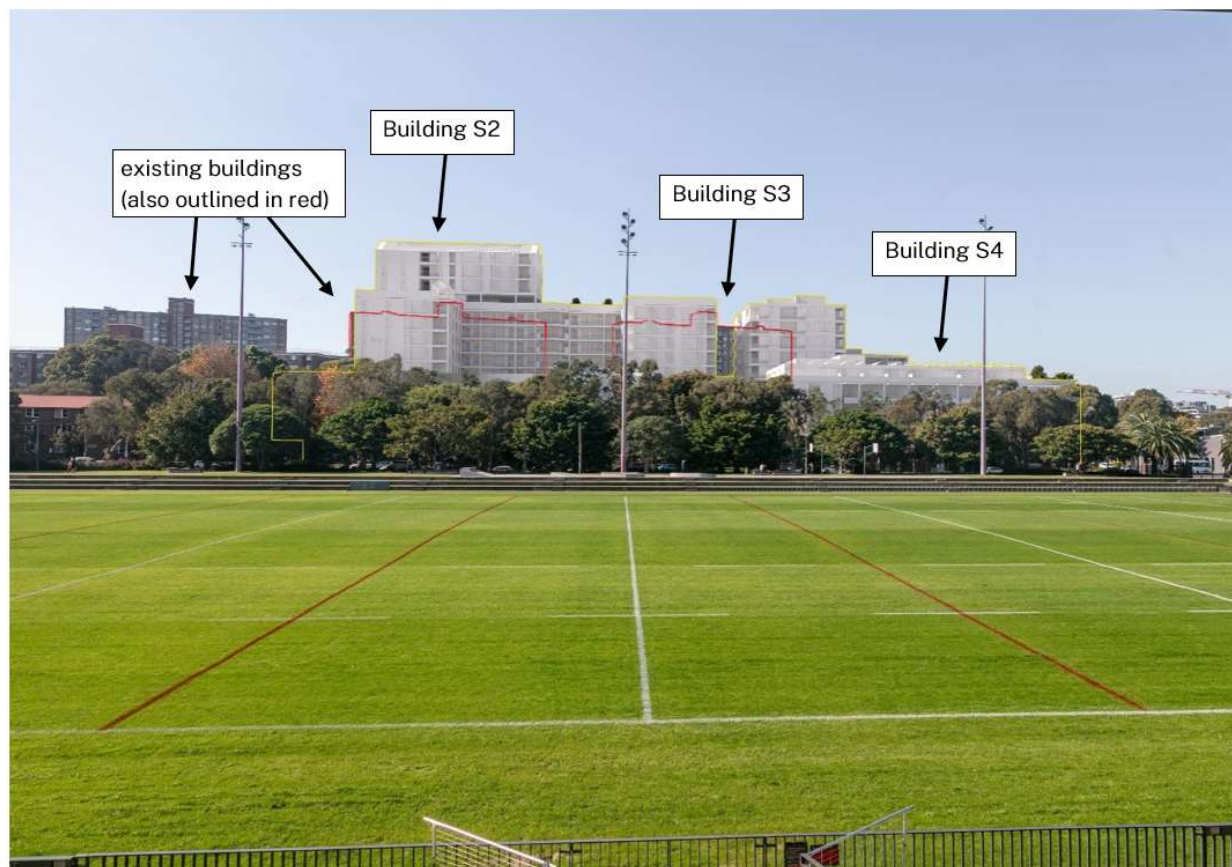


Figure 7 | The development as viewed from Redfern Park looking east with existing taller buildings at Poet's Corner partially behind the proposed development (Source: Applicant's EIS)

5.2. Amenity

5.2.1. Residential amenity

The Department has undertaken a detailed assessment of the NSW Apartment Design Guide (ADG) in **Appendix D** and is satisfied that the development largely meets the ADG's criteria and design guidance noting key variations to building separation distances and natural ventilation.

Separation distances

Public submissions raised concerns about the separation distances between buildings and potential privacy impacts.

The Applicant's plans demonstrate that each building complies with the ADG recommended separation distances from neighbouring buildings on the opposite side of Phillip Street, Walker Street, and Kettle Street, ensuring the proposal does not negatively impact the privacy or amenity of existing residences.

However, the Applicant proposes reduced building separation distances than those recommended in the ADG between sections of the new buildings on the site and has implemented a range of design treatments to prevent overlooking between apartments and to mitigate potential privacy impacts.

The Department is satisfied these variations are justified, as follows:

- the reduced 6.2 m (instead of 12 m) separation distance between Building S1 and S2 is mitigated by the community centre not having any windows or openings above the ground floor on the southern façade where it connects with Building S4's social housing units
- the reduced 10.7 m (instead of 12 m) separation distance between the first five floors of the north-western corner of Building S2 and Building S1 is offset by installing fewer and smaller windows on Building S1's eastern facade and by adding directional viewing screens to Building S2's western facade. A larger setback of 13.8 m is also established at Building S2's south-western corner, allowing for unobstructed views over Building S1 above the fifth floor
- the reduced average separation of 7 m (compared to 24 m) between Building S2 and S3 is mitigated by using popout windows on Building S3's northern façade and vertical façade elements on Building S2's southern façade, along with carefully positioning habitable rooms to prevent direct sightlines between the buildings
- the reduced separation distance of 11.7-13.7 m (instead of 18 m) between the upper floor of Building S4 and Building S3 is mitigated by installing directional viewing screens on the three affected apartments in Building S3 and by offsetting the bedroom and living room windows in Building S4
- the potential for apartments to overlook each other between the arms of each building and from the breezeways has also been mitigated by using directional windows and raised sill heights in Buildings S2, S3, and S4.

Natural ventilation

The Applicant's assessment demonstrates that Building S2 would exceed the ADG recommended standard that 60% of apartments in the first nine floors of the building are naturally ventilated

(achieving 64% of the apartments), while Buildings S3 and S4 would provide less than the recommended proportion (only achieving 57% and 8% of the apartments, respectively).

The Department notes that because the site borders Phillip Street and Elizabeth Street, which are busy roads and generate notable traffic noise, several of the apartments in Buildings S3 and S4 cannot achieve an appropriate internal noise environment while the apartments' windows and doors are left open for ventilation. As a result, these apartments would be fitted with ventilation plenums to passively ventilate the apartment while all windows and doors are closed. This alternative design solution ensures that 100% of the apartments in these buildings are passively ventilated, ensuring future residents have the option to close their windows and doors for noise attenuation, including during the more sensitive nighttime period.

The Department supports the proposed variation to the ADG's natural ventilation criteria as the Applicant has demonstrated that a comfortable indoor environment can be achieved and a large proportion of the apartments can be ventilated without relying on mechanical solutions such as air conditioning.

5.2.2. Overshadowing

Public submissions raised concerns that the proposed buildings would overshadow surrounding residences and result in some nearby homes receiving less than 2 hours of direct sunlight on the winter solstice (21 June, also referred to as mid-winter).

The Applicant submitted plans detailing the shadows cast between 9 am and 3 pm on the summer and winter solstices, as well as during the spring and autumn equinoxes, along with elevational and perspective overshadowing plans of the eastern side of Walker Street and the southern side of Phillip Street.

The Department has considered the Applicant's plans and studies, along with the submissions received, and considers that the impacts of the development align with the site-specific controls outlined in SLEP 2012 and the Design Guide. The Department notes:

- there would be no additional overshadowing to Redfern Park between 9 am and 3 pm at any time of the year in compliance with SLEP 2012
- the development would overshadow existing residences on the eastern side of Walker Street in the mid-morning (11:27 am) to the afternoon (3 pm), however, 71.1% of the Walker Street frontage would still receive at least 2 hours of direct sunlight on the winter solstice in compliance with the Design Guide, and
- the proposal increases overshadowing of residences on the southern side of Phillip Street by 64 minutes on the winter solstice, however, those windows would still get at least 1 m² of direct sunlight for nearly 5 hours across the day, which complies with the Design Guide.

While the Department acknowledges that the proposal would result in additional overshadowing of some surrounding residences, the Department considers this impact is reasonable and consistent with the impacts anticipated by the site-specific controls adopted for the redevelopment of the site under the Design Guide and SLEP 2012.

5.3. Flooding

The site is affected by overland flow during the 20% Annual Exceedance Probability (AEP) (1 in 5 year) event up to the Probable Maximum Flood (PMF) event, causing water ponding on the site and nearby roads.

CPHR raised concerns about the suitability of the site for higher-density development and noted that the development should not result in any changes to flood conditions. NSW SES also confirmed that sheltering-in-place was not supported for new development. Council noted that the site would be isolated for up to 14 hours during the PMF event and requested conditions requiring compliance with flood planning levels and a flood risk management plan be submitted prior to occupation.

The Applicant submitted a Flood Impact Assessment (FIA) concluding that the development would not increase flood depths or hazards for neighbouring sites compared to existing conditions. It would change floodwater depths in the surrounding road network, but these are minor, causing small pockets of increased hazards and the flow velocity would stay slow (up to 1 m/s). It demonstrated that evacuation is possible during events up to the 0.2% AEP (1 in 500-year event) via Kettle Street and through-site links. For PMF events, sheltering-in-place was proposed with adequate provisions for safety and emergency equipment.

The Department has considered the Applicant's FIA and additional information, the submissions received, and relevant policies, including the Shelter in Place Guidance for Flash Flooding 2025 and the City of Sydney Council Flood Emergency Sub Plan 2023. The Department accepts that the proposed development would result in minor changes to flood conditions and behaviour, but that these changes would not adversely impact the surrounding area and the development would not represent a significant risk to life. The Department notes the following:

- the development does not alter flood behaviour, depth or hazard category for any surrounding property when compared to the existing conditions across a range of flood events
- changes to flood depths in surrounding roads are minor and do not materially impact evacuation routes (see **Figure 8**)
- evacuation is feasible up to the 0.2% AEP event and sheltering-in-place is justified for the PMF event, given:
 - the FIA shows the surrounding roads are unsafe for pedestrians and vehicles in the pre and post-development scenarios
 - all apartments and the upper floor of the community building are above the PMF level
 - the proposal provides at least 2 m² of indoor shelter space per person, including water, bathrooms, and emergency supplies like fire extinguishers, radios, torches, and first-aid kits
 - the buildings would be designed to meet Australian Standards to be structurally resilient
 - the site is within an established urban area that has been planned to provide high-density residential development and community uses under the SLEP 2012 and Design Guide.

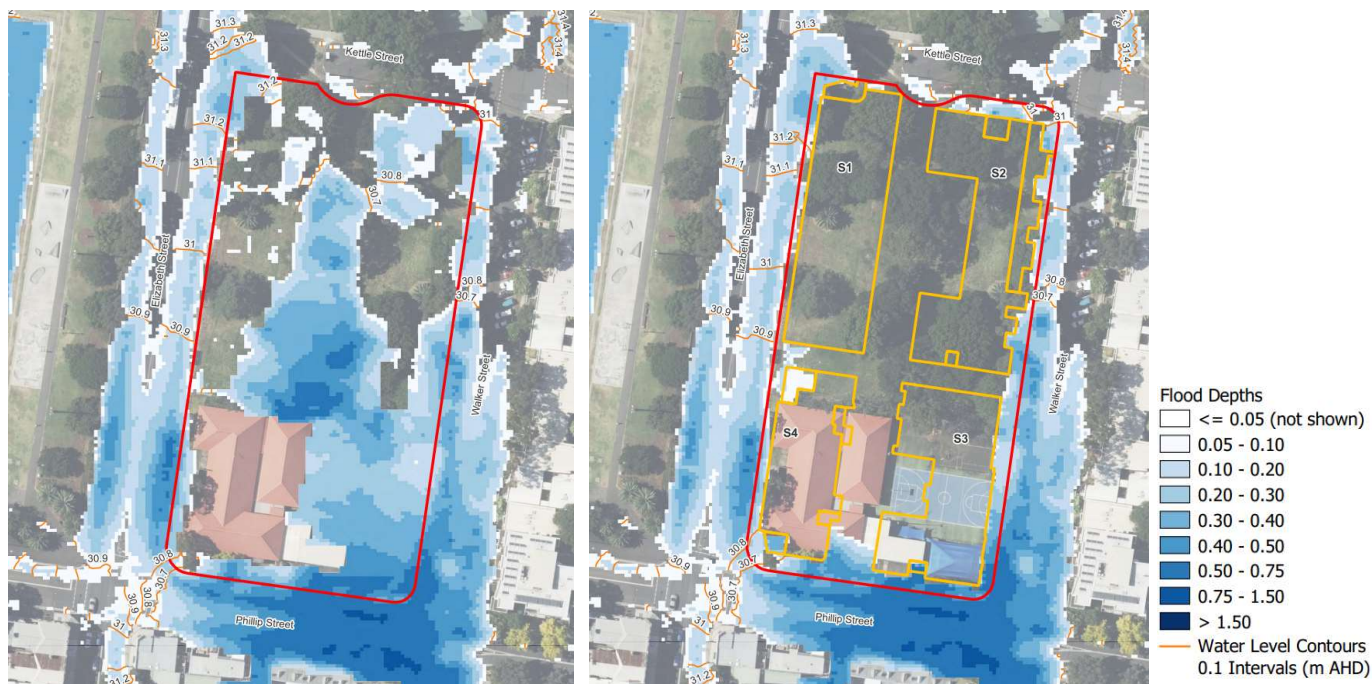


Figure 8 | Comparison of pre (left) and post development (right) depths during the 1% AEP (1 in 100 year) event (Source: Applicant's FIA)

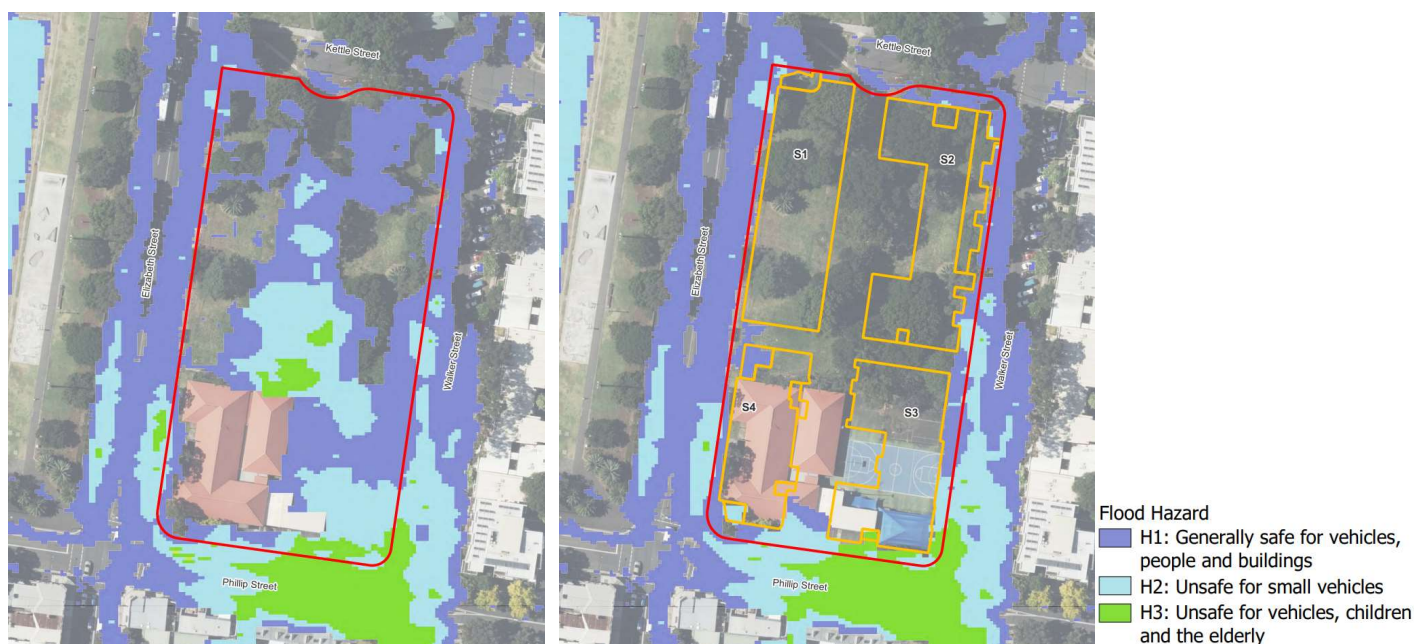


Figure 9 | Comparison of pre (left) and post-development (right) hazard categories during the 1% AEP (1 in 100 year) event (Source: Applicant's FIA)

The Department recommends conditions that:

- the finished floor levels of the residential buildings, the upper floors of the community building, and all entrances to the basement be constructed above the PMF level
- all electrical connections and flood-sensitive equipment are above the 1% AEP level
- all structures subject to flooding and overland flows are structurally designed to withstand the forces of floodwaters in accordance with the relevant Australian Standards

- an emergency management strategy must be in place for each building prior to the occupation of the building, and the Applicant must provide evidence to the Certifier of a shared services and access agreement for the commercial office to shelter in the community centre
- the flood storage tank, pits and pipes must be designed to achieve City of Sydney Council's standards and technical specifications and include vermin-proofing mesh and litter traps, and
- the Applicant must consult with the NSW Fire Brigade when finalising the design of the fire equipment room.

Given the above, the Department is satisfied the site is suitable for the proposed development, flood risk on this site can be managed without significantly increasing the burden on emergency services, and the flood impacts and hazards are reasonable and can be appropriately managed subject to the recommended conditions.

5.4. Other issues

The Department's consideration of other issues is summarised in **Table 7** below.

Table 7 | Assessment of other issues

Issue	Findings and conclusions	Recommended conditions
Office use	<ul style="list-style-type: none"> • The proposed office space (commercial premises) at the ground floor of Building S4 is prohibited in the R1 General Residential land use zone. The SSD application is, therefore, partly prohibited in accordance with Section 4.38(3) of the EP&A Act. • The Department has considered the merits of the proposed office use and considers it acceptable for the following reasons: <ul style="list-style-type: none"> – the minor office space will help to manage social and affordable housing on the site and in surrounding areas – the office space does not undermine the objective to provide predominantly residential development on this site, and is compatible with the objectives of the zone – the office space supports Council's intent to create an active street frontage on Elizabeth Street – the office space would not result in any significant impacts to surrounding properties. 	No conditions are recommended.
Landscaping and tree removal	<ul style="list-style-type: none"> • Public submissions raised concerns that the development would remove trees on Walker Street and requested additional tree planting across the site. • The Applicant's Arboricultural Impact Assessment (AIA) detailed how the development would remove 57 existing trees on the site and retain and protect 9 existing trees in the north-west and south-east corners of the site. The Applicant's RtS included a peer review of the AIA and amended the design of Building S2's interface with Walker Street so that a further 4 mature trees could be retained in the streetscape. 	<p>The Department recommends:</p> <ul style="list-style-type: none"> • an updated Tree Protection Plan is prepared in accordance with the recommendations of the AIA and the peer review

Issue	Findings and conclusions	Recommended conditions
	<ul style="list-style-type: none"> • Council's submission supported retaining the additional street trees on Walker Street and generally supported the landscape design. • The Department has considered the submissions received and the Applicant's AIA, peer review, and plans, and considers the development would have an acceptable impact as: <ul style="list-style-type: none"> – retaining some of the existing mature trees on Walker Street and providing new advanced growth trees would help to integrate the new buildings with their surroundings – the existing trees are a mix of planted native and exotic vegetation and does not include any remnant vegetation – 16.6% of the site will be provided as deep soil areas which exceeds the 15% target in the ADG – 16.4% of the site will be covered by tree canopy at maturity which exceeds the 15% target in the Design Guide – the proposed deep soil areas vary from those identified in the Design Guide, but still allow for mature tree planting at the street frontages and within the site and account for the detailed design of the basement and stormwater infrastructure – the trees identified for removal are in the footprint of the new basement or buildings and cannot be retained through the construction process – a waiver from the need to prepare a Biodiversity Development Assessment Report has been granted for this application as detailed in Appendix D. • The Department also notes the proposal includes through-site links read as public spaces and would significantly improve the permeability and activation of the site. Further, the landscaped setbacks to Phillip Street, Walker Street and Kettle Street would contribute to the landscaped character of the area. 	<ul style="list-style-type: none"> • a detailed landscape plan is prepared confirming the detailed planting schedule, drainage and watering systems, soil depth and volumes, plant maintenance activities, and advanced growth replacement trees • a detailed public domain plan is prepared to the satisfaction of Council to achieve Council's public domain guidelines and specifications.
Operational noise	<ul style="list-style-type: none"> • Public submissions raised concern that the operation of the development would be noisy and requested that multiple basement driveways be provided to distribute traffic noise. • Council raised concerns that the Applicant's Noise and Vibration Impact Assessment (NVIA) did not consider using PA systems in the community centre's operation. • The Applicant's NVIA concluded the development could be designed and operated to comply with the relevant noise criteria including PA systems within the community centre, or that the additional noise emissions would be acceptable. It also recommended specific glazing treatments and that ventilation plenums be installed to achieve appropriate internal noise levels for the apartments. 	<p>The Department recommends:</p> <ul style="list-style-type: none"> • no waste removal or servicing occurs during night and evening hours • noise barriers and awnings are to be installed for mechanical plant • windows and doors for the community centre are to be

Issue	Findings and conclusions	Recommended conditions
	<ul style="list-style-type: none"> • The Department has considered the submissions received and the Applicant's NVIA, and finds the development would be acceptable noting: <ul style="list-style-type: none"> – the specific glazing and ventilation plenums in the NVIA ensure the proposed apartments achieve the recommended internal acoustic environment – the predicted noise emissions from plant and services comply with the relevant noise criteria when mechanical plant is enclosed with noise barriers and awnings – the noise emissions from the community centre would also comply if all windows and doors are closed during the more sensitive nighttime hours of between 10 pm and before 7 am – the noise emissions from vehicles using the shared driveway would be comparable to the existing maximum background noise levels and vehicle movements are already the dominant noise source in this area and would therefore have low significance – providing multiple basement driveways would not be feasible without impacting the operation of surrounding classified roads and bus stops, and without compromising compliance with deep soil and parking/loading controls. 	<p>closed between 10 pm and 7 am</p> <ul style="list-style-type: none"> • the Applicant develop a detailed management plan including a complaints handling procedure for the community centre.
Social impacts	<ul style="list-style-type: none"> • Public submissions raised concerns about the proposed housing typology, the potential for anti-social behaviour, the loss of PCYC facilities, and the proposed partnership between the NSW government and Bridge Housing in developing the site. Community feedback received outside of the public exhibition process requested the development provide 100% public housing that Homes NSW builds, owns, and manages. • NSW Police reviewed the Applicant's plans and provided recommendations to improve safety and security. • The Applicant submitted a Social Impact Assessment (SIA) and a Crime Prevention Through Environmental Design (CPTED) assessment with the EIS, which found that the development would help to address unmet demand for affordable housing in Sydney, provide enlarged community facilities to benefit the local area, promote social interaction and inclusion, and be designed to manage potential anti-social behaviour. • The Department has reviewed the Applicant's assessments and the issues raised in submissions, and is satisfied the proposal would deliver a range of positive social outcomes, particularly through the provision of additional social and affordable housing, specialist disability accommodation, and a contemporary replacement community centre. The potential negative impacts of the development would either be temporary 	<p>The Department recommends:</p> <ul style="list-style-type: none"> • the Applicant prepare an Allocation Strategy prior to occupation detailing the process and criteria for selecting future tenants, including that 15% of the social and affordable housing should be allocated to Aboriginal and Torres Strait Islander households • the detailed construction drawings address the recommendations of the CPTED report and NSW Police

Issue	Findings and conclusions	Recommended conditions
	<p>or could be appropriately managed through the recommended conditions.</p> <ul style="list-style-type: none"> • The Applicant has also committed to allocating 15% of the affordable and social housing to Aboriginal and Torres Strait Islander households, which exceeds the 10% target established in the Redfern Waterloo Aboriginal Affordable Housing Campaign and the Design Guide. • Overall, the Department is satisfied that the proposal is acceptable, as it involves no subdivision and aligns with government policy to develop social and affordable housing through Community Housing Providers (CHP) partnerships. It will provide 100% social, affordable and specialist disability housing, exceeding the minimum 30% required in the site-specific planning controls, helping to address the housing crisis in this inner-city area. • The Department recommends imposing standard conditions that social housing is managed by a Social Housing Provider and affordable housing is managed by a registered CHP in accordance with the Government's Affordable Housing Guidelines. The specialist disability accommodation is also to be managed in accordance with the National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020. 	<ul style="list-style-type: none"> • the Applicant prepare a Plan of Management for the operation of community spaces • social housing is managed by a Social Housing Provider, and affordable housing is managed by a registered CHP in accordance with the Government's Affordable Housing Guidelines • specialist disability accommodation is managed in accordance with the National Disability Insurance Scheme (Specialist Disability Accommodation) Rules 2020.
Parking	<ul style="list-style-type: none"> • Public submissions raised concern that the proposed parking would be insufficient to service the development, while Council supported providing less car parking and recommended conditions for the detailed design of bicycle parking. TfNSW recommended implementing a Travel Access Guide (TAG) to promote sustainable transport use. • The proposal provides 67 car parking spaces, 7 motorcycle parking spaces, 355 residential bicycle parking spaces, and 8 staff bicycle parking spaces in the shared building basement. A further 50 bicycle parking spaces for visitors are provided in the public domain. • The Department notes the development complies with SLEP 2012 that sets a maximum car parking rate of up to 229 parking spaces, and considers the development aligns with Council and State policies that are aimed at reducing car dependency and promoting the use of more sustainable and active transport modes. The site also has excellent access to public transport including rail, metro and bus networks in proximity of the site. • The number of bicycle parking spaces generally complies with Council's recommended DCP rates and supports a 10% mode share target that aligns with the Sustainable Sydney 2030 	<p>The Department recommends:</p> <ul style="list-style-type: none"> • the proposed number and mix of car and bicycle parking spaces are delivered • vehicle and bicycle parking are constructed to achieve Australian Standards • the Applicant is to prepare a Transport Access Guide prior to occupation • specifications for alterations to the public road are to be agreed with

Issue	Findings and conclusions	Recommended conditions
	strategy and is considered sufficient to service the development.	Council's traffic committee.
Traffic generation	<ul style="list-style-type: none"> The Applicant submitted a Transport Assessment, which confirmed that the proposal would generate 30 vehicle trips in the morning peak and evening peak periods and that the level of service (LoS) in nearby intersections would not change because of the development. Surrounding intersections would continue to operate at a LoS A/B during peak periods. Council and TfNSW did not raise any concerns about traffic impacts. The Department considers the additional traffic generated by the proposal is negligible and would not cause any adverse impacts to the operation of the surrounding road network. 	The Department notes no conditions are necessary.
Aboriginal heritage	<ul style="list-style-type: none"> An Aboriginal Cultural Heritage Assessment Report (ACHAR) was prepared during the planning proposal stage of the project, identifying a potential archaeological deposit (PAD) in the study area that required further investigation. Test excavations before the EIS confirmed the PAD lacked potential archaeology, and HNSW ACH accepted this, changing the PAD's status to 'not a site'. A new Aboriginal Heritage Information Management System search was undertaken for the EIS, which found no new sites, and no further actions were recommended. HNSW ACH found the Applicant's ACHAR was acceptable and recommended the Applicant include Aboriginal heritage management procedures as part of the future Construction Environmental Management Plan and that the Applicant further consult with RAPs. The Department considers the development would be unlikely to impact Aboriginal objects or places and supports the recommendations of HNSW ACH. The Department also notes that the Applicant's Connecting with Country Strategy identifies further opportunities to celebrate Aboriginal cultural values and history in the detailed design and operation of the development. 	<p>The Department recommends:</p> <ul style="list-style-type: none"> adopting HNSW ACH's recommended conditions the detailed design plans and the Plan of Management for community spaces respond to the Connecting with Country Strategy.
Non-Aboriginal heritage	<ul style="list-style-type: none"> The Applicant submitted a Statement of Heritage Impact (SOHI) confirming the proposal would not adversely impact the significance of surrounding heritage items and conservation areas. The Applicant's Historical Archaeology Assessment detailed the findings of test excavations completed on the site, and recommended the development proceed with an Unexpected Finds Protocol and supervision during the demolition of the PCYC building. HNSW EH reviewed the EIS and RtS and confirmed the application has appropriately addressed heritage impacts. It recommended the Applicant appoint an Excavation Director, 	<p>The Department recommends:</p> <ul style="list-style-type: none"> completing an archival photographic recording of the PCYC building prior to demolition updating the Archaeological Research Design

Issue	Findings and conclusions	Recommended conditions
	<p>conduct archaeological investigations at the PCYC footprint, and implement procedures for unexpected relics and human remains.</p> <ul style="list-style-type: none"> The Department has reviewed the Applicant's SOHI and accepts the advice of HNSW EH that the project proceed subject to the recommended conditions. The Department finds that the development would have an acceptable impact noting that the site is not heritage listed, the proposal would not result in any significant impacts on nearby heritage items, and recommended conditions would appropriately mitigate and manage any potential archaeological heritage impacts. 	<p>and Excavation Methodology to inform investigations of the PCYC building</p> <ul style="list-style-type: none"> appointing an Excavation Director to oversee works implementing an unexpected finds protocol.
Stormwater and water quality	<ul style="list-style-type: none"> The Applicant's Stormwater Report confirms the development would provide an onsite detention (OSD) tank sized in accordance with Sydney Water's requirements, a rainwater tank with overflow to the OSD tank, and water quality filters, guards, and a swale. MUSIC modelling confirms the development would achieve Council's water quality targets. Sydney Water advised water and wastewater servicing was available for the development and noted the detailed requirements for any works would be confirmed at the next detailed design and construction stage. Council and Sydney Water did not raise any concerns with the proposed stormwater design but recommended a range of conditions to ensure its requirements are met. The Department is satisfied the development can appropriately manage stormwater and recommends imposing Council and Sydney Water's recommended conditions. 	<p>The Department recommends:</p> <ul style="list-style-type: none"> the detailed design of the stormwater management system be in accordance with Council's requirements the Applicant enter into a deed with Council for the maintenance of the stormwater system.
Sustainability	<ul style="list-style-type: none"> The site-specific planning controls in SLEP 2012 and the Design Guide require that the development achieve a 6-Star Green Star communities rating and a 5-Star Green Star as-built rating, achieve a 5.5 Star NABERS energy rating and a 4.5 Star NABERS water rating, and exceed the BASIX standards for electricity and water by 5 points. The Applicant's ESD Report confirmed the development would achieve the as-built Green Star and NABERS ratings, but it was not eligible for a Green Star communities rating from the Green Building Council of Australia. Additionally, while the development would exceed the BASIX energy standards by 5 points, it could not exceed the BASIX water standards and would instead meet the baseline standards for residential development. The Applicant notes that achieving a greater BASIX water standard requires installing and on-selling highly water-efficient appliances (like dishwashers and washing machines) to 	<p>The Department recommends:</p> <ul style="list-style-type: none"> the ESD measures identified in the ESD Report, BASIX and NatHERS certificates, and the NABERS certificates are incorporated into the construction drawings the 5-Star Green Star as-built rating is considered at the construction stage and confirmed

Issue	Findings and conclusions	Recommended conditions
	<p>future tenants, which limits the affordability of the accommodation. Therefore, this cannot be achieved while providing 100% social, affordable, and specialist disability accommodation.</p> <ul style="list-style-type: none"> The Department accepts the development would meet or exceed the sustainability standards set for development across NSW. While it would not achieve some of the more aspirational site-specific targets established during the Planning Proposal stage, the Department notes that these non-compliances are due to the development not qualifying for a Green Star communities rating and because it provides more social and affordable housing than the 30% target. Overall, the Department is satisfied the development would maintain a high standard of sustainability. 	<p>within 12 months of occupation.</p>
Wind	<ul style="list-style-type: none"> Public submissions raised concerns about potential increased wind impacts associated with the proposal. The Applicant's EIS included wind tunnel testing confirming the wind environment is suitable for walking in surrounding streets and appropriate for standing at some building entrances and open spaces. All locations meet safety criteria, and while three site areas may have strong gusts, tree planting and planter boxes can minimise these impacts. The Applicant's RtS provided an updated Pedestrian Wind Environment Study and amended the design of communal rooftop open space, private balconies, and breezeways to also ensure the wind conditions in these residential spaces would be safe and amenable. The Department considers the proposal would not result in any significant wind impact subject to implementing the wind mitigation measures recommended in the Applicant's study. 	<p>The Department recommends a condition requiring the wind mitigation measures detailed in the Pedestrian Wind Environment Study are implemented in the construction drawings.</p>
Construction impacts	<ul style="list-style-type: none"> Public submissions identified a range of concerns with the likely construction works including the potential for future construction workers to use the available on-street parking, vehicles idling in the street outside of work hours, remediation works posing a safety risk, noise and dust impacts. Council recommended the Applicant provide an environmental management plan to address potential construction-related impacts and construction hour conditions. EPA provided recommended conditions for noise, construction hours, water, waste, air quality, contamination. The Department has carefully considered the EIS, which was accompanied by a Preliminary Construction Traffic and Pedestrian Management Plan (CTPMP), NVIA and a Demolition and Construction Waste Management plan and the issues raised in submissions. The Department considers the proposed 	<p>The Department recommends:</p> <ul style="list-style-type: none"> preparing detailed construction management plans imposing Council's standard construction hours including respite periods requiring the contractor to consult with nearby development sites

Issue	Findings and conclusions	Recommended conditions
	<p>management strategies would mitigate and manage noise, vibration, dust, soil, water, works zones, waste management and other construction impacts.</p> <ul style="list-style-type: none"> The Department has also recommended several conditions, including those suggested by NSW EPA and Council, to ensure the construction does not unreasonably impact on the amenity of adjoining residents (in terms of noise, traffic and air quality) or result in any damage to adjoining development and public domain. 	<p>and coordinate construction</p> <ul style="list-style-type: none"> requiring the Construction Pedestrian and Traffic Management Plan to develop strategies to disincentivise workers using on-street parking.
Contributions	<ul style="list-style-type: none"> The Applicant's EIS seeks an exemption from monetary contributions under the City of Sydney Development Contributions Plan 2015, the City of Sydney Affordable Housing Program, and the State Government's Housing and Productivity Code. <p><u>Local contributions</u></p> <ul style="list-style-type: none"> Council's Contributions Plan does not apply to affordable and social housing where provided by LAHC or a registered community housing provider, but does apply to the community centre and office space. Council's Affordable Housing Program does not apply to the site under SLEP 2012. Council's submission supported the Applicant in paying minimal monetary contributions. Planning Circular PS 25-002 confers that Crown developments are not likely to require the provision of public services and amenities in the same way as developments undertaken with a commercial objective, and notes that contributions may be waived for such developments that provide a public service or facility. The Department notes Council's submission and considers the proposed community centre would be for a public purpose and that the minor office space (837 m²) would support managing the social, affordable, and specialist disability housing provided on-site. The Department considers these uses would serve the local community and would not generate significant demand for additional infrastructure. The Department therefore concludes the proposed development does not generate reasonable demand for local contributions which can be waived in this instance. <p><u>State contributions</u></p> <ul style="list-style-type: none"> The Department notes that the State Government's Housing and Productivity Contribution (HPC) does not apply to the proposed 	<p>The Department recommends a condition for the payment of HPC for the new office space.</p>

Issue	Findings and conclusions	Recommended conditions
	housing or the community centre, but it does apply to the new office space.	
Land dedication	<ul style="list-style-type: none"> • The Applicant proposes to widen the footpaths on Elizabeth Street and Phillip Street, and to dedicate the additional land to Council. • The Applicant and Council have agreed to a Letter of Offer for the dedication of this land, and Council requests that conditions are imposed for the execution of a planning agreement. • The Department supports widening the footpath and recommends a condition be imposed that a planning agreement be made consistent with the agreed Letter of Offer before any certification is issued to commence works. 	The Department recommends a Planning Agreement be entered into in accordance with the agreed letter of offer.
Surrender of consents	<ul style="list-style-type: none"> • On 16 December 2001, the former South Sydney Council granted consent to a Stage 1 (concept) DA (U2001/1316) to redevelop the site into a series of apartment blocks while retaining the existing PCYC building. This concept consent was followed by a Stage 2 (detailed) DA (D/2008/203) to demolish the existing buildings on site and develop two 5-storey buildings that was approved by the Central Sydney Planning Committee on 3 November 2011. • For completeness, the Department recommends that the Applicant surrender these existing consents under Section 4.63 of the EP&A Act as part of the determination of this SSD application. 	The Department recommends a condition that the original concept plan and subsequent detailed application be surrendered.

6. Evaluation

The Department's assessment has considered the relevant matters and objects of the EP&A Act, including the principles of ESD, advice from Government agencies, local councils and public submissions, and Government policies and plans.

The Department's assessment concludes that the proposal is acceptable as:

- it supports the State Government priorities to deliver well-located housing by providing a total 355 homes (197 affordable homes, 147 social homes, and 11 specialist disability accommodation units) in an accessible location
- it provides significant public benefits through the provision of 100% social, affordable and specialist disability housing, a new replacement community facility, new pedestrian connections and widened street footpaths
- it achieves design excellence and delivers a built form of an appropriate height, bulk, scale and density that is compatible with the desired future character of this site and the surrounding area
- while the development proposes minor variations to height and floor space controls, these exceedances have sufficient environmental planning grounds and do not materially change the scale or capacity of the development that was planned for this site
- it provides a high standard of amenity for future residents, including appropriately sized apartments, good solar access and natural ventilation, and communal and private open space
- it would not result in unreasonable overshadowing, view loss, wind, or privacy impacts to neighbouring properties, and
- it would not lead to unreasonable flood impacts or risks, and a range of conditions are recommended to effectively mitigate and manage flood impacts.

The Department has recommended a range of conditions to mitigate or manage residual environmental impacts (see **Appendix F**) and has formed the opinion that the project should be approved.

7. Recommendation

It is recommended that the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of 600-660 Elizabeth Street, Redfern (SSD-51274973) as amended, subject to the conditions in the attached development consent approval
- **signs** the attached development consent (Appendix F).

Recommended by:



Anthony Witherdin
Director
Key Sites and TOD Assessments

Recommended by:



Ben Lusher
Executive Director
Housing and Key Sites Assessments

Recommended by:



David Gainsford
Deputy Secretary
Development Assessment and Sustainability

8. Determination

The recommendation is adopted/not adopted by:

A handwritten signature in blue ink, appearing to read 'Paul Scully', written in a cursive style.

The Hon. Paul Scully MP
Minister for Planning and Public Spaces

24/9/25

Glossary

Abbreviation	Definition
ADG	NSW Apartment Design Guide
AEP	Annual Exceedance Probability, which is the probability or likelihood of an event occurring or being exceeded within any one year. For example, a flood with a 1% AEP has a 1 in 100 chance of being exceeded in any year
AHD	Australian height datum
CPHR Group	Conservation, Programs, Heritage and Regulation Group (formerly known as the Biodiversity Conservation and Science group) of the NSW Department of Climate Change, Energy, the Environment and Water
Council	City of Sydney Council
Department	Department of Planning, Housing and Infrastructure
Design Guide	Design Guide – 600-660 Elizabeth Street, Redfern published in October 2023
EDC	Estimated development cost
EIS	Environmental impact statement
EPA	NSW Environment Protection Authority
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPI	Environmental planning instrument
ESD	Ecologically sustainable development
FRNSW	Fire and Rescue NSW
HNSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
Homes NSW	Homes NSW, which is also taken to mean the NSW Land and Housing Corporation (LAHC) for the purposes of this assessment
LEP	Local environmental plan

Abbreviation	Definition
Minister	Minister for Planning and Public Spaces
NCC	National Construction Code
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
PMF	Probable Maximum Flood, which is an estimate of the largest flood that could possibly occur in a catchment
Sustainable Buildings SEPP	State Environmental Planning Policy (Sustainable Buildings) 2022
Housing SEPP	State Environmental Planning Policy (Housing) 2021
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEPP	State environmental planning policy
SES	NSW State Emergency Service
SLEP 2012	Sydney Local Environment Plan 2012
SSD	State significant development
TfNSW	Transport for NSW

Appendices

Appendix A – Summary of key amendments to the project

Since lodgement, some key aspects of the project were amended in response to public submissions and Council and agency advice, and at the request of the Department.

A summary of the key amendments is provided in **Table 8** below.

Table 8 | Key amendments

Stage	Project amendments
Response to submissions	<ul style="list-style-type: none">• changes to flood mitigation measures including:<ul style="list-style-type: none">– providing new drainage pits near the Building S2 entry and a drainage pipe connected to the flood storage tank under Building S4– increasing the flood storage tank– raising all terraces on Walker Street to be above the PMF– amending access to the fire pump room• changes to the shared basement level including:<ul style="list-style-type: none">– increasing the building waste storage areas and relocating the residential bulk store room– providing end-of-trip facilities for commercial uses– amending bicycle parking to comply with the relevant Australian Standards– reallocating parking and loading spaces• changes to landscaping including:<ul style="list-style-type: none">– retaining an additional 4 trees on the Walker Street frontage of the site– providing additional shading structures on the Building S4 rooftop– providing moveable planters in communal open space areas– refining the soil depth of planters– refining the planting palette– updating footpath designs to meet Council’s public domain guidelines– updating the ground floor courtyards to address CPTED issues• changes to Building S1 including:<ul style="list-style-type: none">– changing the building materials– reducing the size of the lift cover and lift overrun– updating the waste and storage room designs– reducing the overall building GFA by 7 m²• changes to Building S2 including:<ul style="list-style-type: none">– providing full height windows and operate operable awnings for those dwellings without private open space– removing the pitched roof motif from the lower levels of the building– removing the pop-outs in the ground floor breezeway to increase the communal open space area

Stage	Project amendments
	<ul style="list-style-type: none"> – refining the bathroom windows to address servicing requirements – replacing the brick slips with full bricks at the building's base • changes to Building S3 including: <ul style="list-style-type: none"> – removing the pop-outs in the ground floor breezeway to increase the communal open space area – providing an awning over the building entry • changes to Building S4 including: <ul style="list-style-type: none"> – amending the lobby to improve ramp access and bicycle access to the basement – combining the planters on Elizabeth Street and increasing the depth of planters – revising the office amenities – decreasing the overall building GFA by 12 m² • raising the windowsill heights of bedrooms across the buildings where interfacing with the breezeways to address privacy concerns.
Additional information	Changes to the basement plan to include an internal galvanised steel access stair and an access door to the flood storage tank.

Appendix B – List of referenced documents, submissions and advice

All supporting documents and information to this assessment report can be found on the NSW Planning Portal at <https://www.planningportal.nsw.gov.au/major-projects/projects/600-660-elizabeth-street-redfern-mixed-use>, including the:

- Environmental Impact Statement.
- Response to Submission report.
- Applicant's additional information.
- Submissions (pubic and Council).
- Government agency advice.

Appendix C – Community views for the draft Notice of Decision

The below table summarises the issues raised in public and Council's submissions.

Table 9 | Key issues and how they have been considered

Issue	Consideration
<p>The provision of housing, the mix of housing, and the future management of social and affordable housing by a community housing provider</p> <p><i>(community and Council issue)</i></p>	<ul style="list-style-type: none"> • The Department supports the provision of 100% social, affordable and specialist disability accommodation housing on the site which aligns with the relevant strategic plans and policies and supports the National Housing Accord to deliver 377,000 well-located homes over the next 5 years. • The proposed mix of unit sizes responds to the demographic characteristics of the Homes NSW/Bridge Housing tenants, and the provision of more social, affordable, and specialist disability accommodation housing instead of market housing responds to the need for greater housing choice in accessible locations. • The Applicant has also committed to allocating 15% of the affordable and social housing to Aboriginal and Torres Strait Islander households, which exceeds the 10% target established in the Redfern Waterloo Aboriginal Affordable Housing Campaign and the Design Guide. • The Department notes the development involves no subdivision and aligns with Government policy to develop social and affordable housing through partnerships with Community Housing Providers. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The proposed social housing will be managed by a social housing provider, and the affordable housing will be managed by a registered CHP in accordance with the Affordable Housing Guidelines. • The Applicant is to prepare an allocation strategy detailing the process and criteria for selecting future tenants, including that 15% of the social and affordable housing should be allocated to Aboriginal and Torres Strait Islander households.
<p>The bulk and scale of the development including excessive height, narrow setbacks, and non-compliances with the Design Guide</p> <p><i>(community and Council issue)</i></p>	<ul style="list-style-type: none"> • The Department has considered the bulk and scale of the proposed buildings in detail in Section 5 and Appendix D, and concludes the proposed built form and design is acceptable as: <ul style="list-style-type: none"> – it complies with the overall capacity and scale that was planned for this site at the Planning Proposal stage – minor variations to the building height, floor space ratio, street setbacks, and the building height in storeys controls are justified and have not materially changed the scale of the development that aligns with the desired future character statement under the Design Guide – each building also achieves ADG building separation distances to all neighbouring properties, and the Applicant has agreed to enter into a planning agreement with Council to deliver wider footpaths on Elizabeth Street and Phillip Street.

Issue	Consideration
	<p>Recommended conditions:</p> <ul style="list-style-type: none"> • The height and floor space of each building must be verified at the construction and occupation stages, to ensure compliance with the approved capacity. • The Applicant is to execute a planning agreement with City of Sydney Council to dedicate land for larger footpaths.
<p>Potential amenity impacts including overshadowing and daylight, privacy impacts, wind conditions, view loss, and acoustic impacts (community and Council issue)</p>	<ul style="list-style-type: none"> • The Department's assessment in Section 5 concludes the development will not adversely impact the amenity of surrounding areas, including with consideration of solar access, privacy, wind, noise and views. • The Applicant's modelling further confirms that the development would comply with the detailed overshadowing controls specified in the Design Guide and SLEP 2012 for this site. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The wind mitigation measures detailed in the Pedestrian Wind Environment Study must be implemented in the construction drawings. • Waste removal or servicing is not permitted to occur during night and evening hours. • Noise barriers and awnings must be installed for mechanical plant. • The windows and doors for the community centre must be closed between 10 pm and 7 am. • The Applicant must prepare a detailed management plan, including a complaints handling procedure, for the future operation of the community centre.
<p>Parking and access issues including the provision of parking, concerns for traffic, and the requirement for additional loading bays and management measures (community and Council issue)</p>	<ul style="list-style-type: none"> • The development complies with Council's controls for the provision of on-site vehicle parking and provides sufficient bicycle parking to accommodate the expected mode-share. The Department supports reducing car dependency and promoting the use of more sustainable and active transport modes. • The Applicant's traffic impact modelling also confirmed that the level of service (LOS) at nearby intersections would not change because of the development. Surrounding intersections would continue to operate at a LoS A/B during peak periods, which equates to an average delay of up to 28 seconds per vehicle. • The development's servicing and loading needs can be appropriately managed with the basement loading dock and servicing spaces. TfNSW also did not raise concerns with the proposed loading/servicing strategy. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The proposed number and mix of car and bicycle parking spaces must be implemented in the construction drawings. • The Applicant is to prepare a Transport Access Guide prior to occupation.

Issue	Consideration
	<ul style="list-style-type: none"> The Applicant must prepare a Loading Dock and Servicing Management Plan for the shared building basement prior to occupation.
<p>Construction impacts including on street parking, amenity, and concerns for asbestos and contaminated soil removal</p> <p><i>(community and Council issue)</i></p>	<ul style="list-style-type: none"> The Department acknowledges that some construction impacts are unavoidable due to the transformative nature of the project and the proximity of neighbouring properties in this established urban area. However, the impacts associated with the proposal can be appropriately minimised and managed by conditions of consent. The handling of asbestos and contaminated soil when remediating the site will be conducted in accordance with the standard procedures and protocols established by the NSW Government, SafeWork NSW, and the NSW EPA. <p>Recommended conditions:</p> <ul style="list-style-type: none"> The Applicant must prepared detailed management plans including a Construction and Environmental Management plan, a Construction Pedestrian and Traffic Management Plan, a Construction Noise and Vibration Management Plan, and other sub plans. The detailed management plans must coordinate with any construction projects in the surrounding area to mitigate the duration and annoyance of noise impacts on surrounding receivers. The Construction Pedestrian and Traffic Management Plan must also include strategies to disincentivise workers using on-street parking Construction works will be conducted in accordance with standard construction hours. The remediation of the site will occur with the oversight of an independent accredited Site Auditor and through the implementation of a Remediation Action Plan, Hazardous Building Materials Survey and Asbestos Assessment.
<p>Tree removal and the loss of habitat on the site</p> <p><i>(community and Council issue)</i></p>	<ul style="list-style-type: none"> The Department accepts that the redevelopment of the site would necessitate removing existing trees but notes that the development would comply with the targets for deep soil areas and canopy cover, and has been designed to retain existing mature trees on Walker Street and Kettle Street. The Department also notes that CPHR granted a waiver from the need to prepare a Biodiversity Development Assessment Report for this application, noting that the potential impacts to biodiversity were not significant. <p>Recommended conditions:</p> <ul style="list-style-type: none"> The Applicant is to prepare an updated Tree Protection Plan in accordance with the recommendations of the AIA and the peer review, to guide tree removal and protection during the construction process.

Issue	Consideration
	<ul style="list-style-type: none"> • A detailed landscape plan is prepared confirming the detailed planting schedule, drainage and watering systems, soil depth and volumes, plant maintenance activities, and advanced growth replacement trees. • A detailed public domain plan is also to be prepared to the satisfaction of Council, including the detailed design of footpaths and street trees. • Trees being removed or trimmed are to be checked for wildlife prior to the works occurring.
<p>Social impacts including the potential for crime and anti-social behaviour, concerns for the closure of the PCYC building, and requests that the community housing provider find an alternative location for existing services (community issue)</p>	<ul style="list-style-type: none"> • The Department has reviewed the Applicant's CPTED report, SIA, and the advice of NSW Police and considers the development has been designed to manage potential anti-social behaviour. • The loss of community facilities on the site while the PCYC building is being replaced would negatively impact the local community, but these impacts would be temporary, and the Department supports the SIA's recommendation that the Applicant explore opportunities to relocate existing programs to surrounding centres during construction. The new community centre provides enlarged active and passive facilities that would benefit the local community into the future. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The detailed construction drawings incorporate the recommendations of the CPTED report and NSW Police's submission. • The Applicant's construction management plans are to consider construction staging and communicating with, or relocating, the existing users of the site.
<p>Flooding including considering the full range of flood scenarios, the detailed design of flood storage and stormwater systems, and designing buildings above the PMF (Council issue)</p>	<ul style="list-style-type: none"> • The Department carefully considered the Applicant's FIA, the submissions received, and relevant policies including the Shelter in Place Guidance for Flash Flooding 2025 and the City of Sydney Council Flood Emergency Sub Plan 2023, and considers that the development does not represent a significant risk to life and would not adversely impact the surrounding area. • The Department notes that Council's issues relating to flooding and stormwater design were resolved through the assessment process and the recommended conditions. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The Applicant must certify at the detailed construction stage that the development achieves the required flood planning levels, any structures subject to flooding or overland flows must be structurally designed to withstand the forces of floodwater, the flood storage tank, pits and pipes must be designed to achieve City of Sydney Council's standards, and all buildings must have an emergency management strategy prior to occupation, including a shared services and access agreement for the commercial office to shelter in the community centre.

Issue	Consideration
<p>Waste management including providing access for Council's waste truck, adequate storage rooms, and procedures for moving waste (Council issue)</p>	<ul style="list-style-type: none"> • The Department notes that Council's waste issues were largely resolved through the assessment process and considers the development's servicing and loading needs can be appropriately managed. • Council's 10.6 m long waste truck can access the building's loading dock for waste collection, and will be able to enter and exit the site in a forward direction. <p>Recommended conditions:</p> <ul style="list-style-type: none"> • The detailed design of the waste storage rooms must meet the applicable Australian Standards/BCA and be designed in consultation with Council. • The Applicant must prepare a Loading Dock and Servicing Management Plan for the shared building basement prior to occupation. • The Plan of Management for the community centre must include detailed waste management and collection procedures. • The building management statement must detail waste management procedures including transporting waste from the dedicated waste storage areas to the consolidated waste storage area.

Appendix D – Statutory considerations

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in below.

Table 10 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	<p>The development promotes the social and economic welfare of the community by delivering new social, affordable, and specialist disability accommodation, providing enlarged community facilities, and enhancing the public domain.</p> <p>Further, as detailed in Section 5, the development can be appropriately managed and would not adversely impact natural or other resources.</p>
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	<p>The development achieves a high level of environmental performance including achieving a 5 Star Green Star Building rating amongst other certifications and promoting and supporting the uptake of sustainable transport options. The Department has recommended conditions requiring the implementation of ESD measures and minimum sustainability targets.</p> <p>The Department is also satisfied that the economic and environmental impacts of the development have been addressed with regard to the precautionary principle, inter-generational equity, the conservation of biological diversity and ecological integrity, and improved valuation, pricing and incentive mechanisms.</p>
(c) to promote the orderly and economic use and development of land,	<p>The development will renew a site that has been vacant for nearly 10 years and provide new housing, community facilities, and an office in accordance with the strategic vision that was established for this site at the Planning Proposal stage.</p>
(d) to promote the delivery and maintenance of affordable housing,	<p>The development would provide new social, affordable, and specialist disability accommodation housing on a vacant site, including providing an additional 249 dwellings for low and very low-income households and NDIS than what was proposed at the Planning Proposal stage. The proposed housing will be managed in accordance with the provisions of the Housing SEPP by either Homes NSW, Bridge Housing, or an alternative registered Community Housing Provider.</p>
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<p>The application was granted a BDAR waiver and the EIS and RtS included an AIA addressing the potential impacts of the development on the local environment. These assessments</p>

Object	Consideration
	conclude the development would not impact threatened or vulnerable species or impact remnant vegetation.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	As detailed in Section 5 , the development would not adversely impact any Aboriginal or non-Aboriginal heritage and may proceed subject to the recommended conditions.
(g) to promote good design and amenity of the built environment,	The proposal achieves a high standard of amenity and design quality as discussed in Section 5.1.1 .
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<p>The Applicant's BCA Regulatory Compliance Report and Access Review Report confirm the development would be capable of complying with the relevant standards and construction codes.</p> <p>Compliance will be further assessed prior to the issue of the Crown Building Works certificate, as is required by the Certifier as part of the legislative requirements under the EP&A Act.</p> <p>The Department concludes the development can comply with the relevant requirements, subject to conditions.</p>
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the SSD application as outlined in Section 4 which included consultation with Council and other government agencies.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	Section 4 sets out details of the Department's exhibition of the proposal.

EP&A Regulation

The EP&A Regulation requires the Applicant to have regard to the *State Significant Development Guidelines* when preparing their application, including any associated guidelines on preparing Social Impact Assessments and the like.

The Department considers the Applicant's documents have considered the relevant guidelines and that the project has complied with the relevant sections of the EP&A Regulation, including with regard to notification and fees.

Biodiversity Conservation Act 2016

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the project is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR waiver request was submitted to the Department and the Environment Agency Head, and the Director of (then) Key Sites Assessments as delegate of the Planning Secretary, determined that the development is not likely to have any significant impact on biodiversity values. A BDAR waiver was granted on 22 April 2024 and an amended waiver in response to the RtS report was granted on 15 May 2025.

Water Management Act 2000

A Water Access License must be obtained where groundwater is intercepted by a development, unless an exemption under Clause 7, Schedule 4 of the Water Management (General) Regulation 2018 applies.

The Applicant's EIS included a Dewatering Management Plan, Groundwater Modelling and Take Assessment that confirmed the construction of the proposed basement would require excavation of between 0.5 m to 1 m below the groundwater table for the Botany Sands aquifer. This excavation would take 2.3 ML of water over a 12-month construction period and would therefore qualify for an exemption under the Regulation.

The Applicant's assessment further confirmed that the shared building basement would be tanked to prevent groundwater inflows, ensuring the development would not need to obtain an ongoing Water Access License.

The Department recommends standard conditions for managing groundwater take and monitoring.

Environmental Planning Instruments (EPIs)

Controls considered as part of the assessment of the proposal are:

- State Environmental Planning Policy (Planning Systems) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- Sydney Local Environment Plan 2012

State Environmental Planning Policy (Planning Systems) 2021

In accordance with this SEPP, the proposal is defined as SSD under section 26 of Schedule 1 as it is development with an EDC of more than \$30 million and would result in more than 75 dwellings in a development carried out by and on behalf of LAHC.

State Environmental Planning Policy (Housing) 2021

Clause 1.9(2C) of SLEP 2012 confirms that Chapter 2, Part 2, Division 1 of the Housing SEPP that prescribes development standards for affordable housing does not apply to the site.

However, Chapter 4 of the Housing SEPP does apply and requires the consent authority to consider the design principles in Schedule 9 of the SEPP (see **Table 11**) and the ADG (**Table 12**). Chapter 6 also applies to the site because it is within 400 m of a mapped town centre.

The Department notes the Planning Circular ‘Using the Apartment Design Guide’ emphasises that the ADG is not intended to be applied as a set of strict development standards and, where it is not possible to satisfy the design criteria, the consent authority is to consider how the objective can be achieved through good design.

Table 11 | Department’s consideration of the design principles in the Housing SEPP

Provision	Consideration
Part 6 – Low and mid rise housing	
Section 179 Non-discretionary development standards – residential flat buildings and shop top housing in Zone R1 and R2	The Department notes that the development will exceed the minimum lot size, minimum lot width, maximum FSR, and maximum building height standards in this provision of the SEPP. However, the proposed residential flat buildings have been designed to address the site-specific planning controls applying to this site under SLEP 2012, and as such would result in an appropriate outcome.
Schedule 9 – Design principles for residential apartment development	
Principle 1: Context and neighbourhood character	The development is compatible with desired future character of the site and the surrounding area as described in Section 5 .
Principle 2: Built form and scale	The application seeks to vary the development standards for height and FSR and will notably increase the bulk and scale of buildings on this site when compared to the existing PCYC building. However, the development is compatible with the desired future character for this site that was determined at the Planning Proposal stage, and has achieved acceptable building proportions, architectural detailing, and public domain outcomes.
Principle 3: Density	The Applicant’s assessment against the ADG (discussed further below) demonstrates that the development achieves an acceptable level of amenity. The Applicant has also demonstrated that the increased density on this site can be appropriately serviced.
Principle 4: Sustainability	The proposal is generally consistent with ESD principles and the Department is satisfied that the proposed sustainability initiatives will encourage ESD.
Principle 5: Landscape	The proposal will provide a range of open space and communal and private landscaped areas that contribute to amenity and the urban tree canopy.
Principle 6: Amenity	<p>The proposal will achieve good amenity for future residents by achieving the ADG criteria for building separation distances, solar access, natural ventilation, visual privacy, the size of apartments and open space, and other design criteria. Where the criteria cannot be achieved, the Applicant has nominated appropriate alternative performance solutions.</p> <p>Further, the development won’t adversely or unreasonably impact neighbouring properties regarding overshadowing, wind, privacy, and visual impacts as explored in Section 5.</p>
Principle 7: Safety	The proposal promotes the principles of Crime Prevention through Environmental Design and would be refined in response to the advice of NSW

Provision	Consideration
	Police. The development provides opportunities for passive surveillance and has considered the relationship between public and private spaces.
Principle 8: Housing diversity and social interaction	<p>The development provides a mix of unit sizes that respond to the demographic characteristics of the Homes NSW/Bridge Housing tenants, and the provision of new social and affordable housing responds to the need for greater housing choice in accessible locations.</p> <p>The provision of public open space, publicly accessible open space, communal spaces, and non-residential uses including a new community centre encourages social interaction amongst residents and visitors to the site.</p>
Principle 9: Aesthetics	The project has been the subject of multi-staged design review process to achieve the highest quality architectural and landscape design. The development is well-designed and appropriately responds to the desired future character for this site without adversely impacting the surrounding area.

Table 12 | Department's consideration of ADG design principles

ADG section	Department's consideration
2F Building Separation & 3F Visual Privacy	<p>All separation distances between buildings would comply except for the following:</p> <ul style="list-style-type: none"> • A lesser separation distance of 6.2 m (instead of 12 m) is proposed between Buildings S1 and S4. Building S1 has, therefore, been designed without windows or openings on the southern façade, above the ground floor, where it interfaces with Building S4's social housing units. This design treatment prevents overlooking and potential privacy impacts. • A lesser separation distance of 10.7 m (instead of 12 m) is proposed between Buildings S1 and S2. This applies to the north-western corner of the first five floors of Building S2 where it interfaces with Building S1, noting that a greater setback of 13.8 m is provided for the south western corner, and above this height Building S2 enjoys unrestricted views over Building S1. To mitigate this impact, fewer and smaller windows are provided on Building S1's eastern façade and Building S2's western façade has been fitted with directional viewing screens. • An average 7 m separation distance (instead of 24 m) is proposed between Buildings S2 and S3, for the full height of these buildings. To mitigate potential privacy impacts, the Applicant has positioned habitable rooms to avoid direct sightlines between these buildings and has incorporated popout windows into Building S3's northern façade and vertical façade elements into Building S2's southern façade to prevent overlooking between apartments. • The separation distance between Building S3 and S4 complies except for the uppermost floor of Building S4, where a 11.7-13.7 m separation distance is proposed instead of 18 m. The Department finds this outcome acceptable as it would only affect one apartment in Building

ADG section	Department's consideration
	<p>S4 (apartment reference S4.114) and three apartments in Building S3 (apartment references S3.409, S3.408, and S3.407). The non-compliant bedroom and living room windows in Building S3 have been fitted with directional viewing screens, and the balcony for apartment S3.408 has been offset from the bedroom and living room windows in apartment S4.114 to prevent overlooking.</p> <ul style="list-style-type: none"> • The potential for the apartments in each building to overlook each other (i.e. between the arms of each building and from breezeways) has also been considered in the design. Buildings S2 and S3 have been provided with directional windows and raised sill heights to prevent overlooking from breezeways, and Building S4 has been designed to not provide any views from apartments to the breezeways or other parts of the building. <p>The Department is therefore satisfied that the proposed development achieves the recommended ADG separation distances and that, where this has not been achieved, apartment layouts and building facades have been appropriately designed to mitigate privacy impacts and to prevent overlooking.</p>
3A Site Analysis	Consistent - the development aligns with the Design Guide that was developed for this site with consideration of the opportunities, constraints, and context of the land.
3B Orientation	Consistent – the proposed buildings and open space achieve an appropriate level of amenity as discussed further in this table. The development's overshadowing of surrounding buildings and Redfern Park complies with the provisions of the Design Guide and SLEP 2012.
3C Public Domain Interface	Consistent – the EIS is accompanied by a CPTED assessment evaluating the safety and security of the development, including the design of publicly accessible, private, and communal open spaces. The Department is satisfied the proposal achieves appropriate measures with the recommended conditions.
3D Communal and Public Open Space	<p>A range of ground floor and rooftop communal open space areas are provided for Buildings S2, S3 and S4 on the Architectural and Landscape Plans, comprising:</p> <ul style="list-style-type: none"> • ground floor communal courtyards (the principal usable area) – 276 m² • Building S2's rooftop - 769 m² • Building S3's rooftop - 169 m² • Building S2's rooftop - 217 m² <p>While these communal open space areas comprise 13% of the site area (instead of the recommended 25%), the Department is satisfied that appropriate open space areas would be available for future residents. The Department notes that when including the through-site links and other landscaped areas at the ground floor, 34.9% of the site would be provided as open space.</p>

ADG section	Department's consideration
3E Deep Soil Zones	Consistent – 1,797 m ² of deep soil is proposed at the street edges and in the north/south link through the site, including permeable paving. This equates to 16.6% of the site.
3G Pedestrian Access to Entries	Consistent – each of the proposed buildings address the street frontage as well as the internal through-site links. The pedestrian links bisect the site in accordance with the site layout in the Design Guide. Further wayfinding signage will be developed by the Applicant at the detailed design stage.
3H Vehicle Access	Consistent - the development has a single shared basement and driveway from Kettle Street. All vehicles will be able to enter and exit the driveway in a forward direction to minimise potential conflicts.
3J Bicycle and Car Parking	<p>Consistent – the non-discretionary development standard for car parking in Chapter 2, Part 2, Division 1 of the Housing SEPP does not apply to this development</p> <ul style="list-style-type: none"> • The development provides 66 residential car parking spaces shared across a single basement level, which is less than the maximum rate under the Guide to Traffic Generating Developments and SLEP 2012 (discussed further below). The development also provides 355 residential bicycle parking spaces and would explore two car share spaces, providing for other modes of transport. Council supports providing less parking to promote sustainable and active transport options. • The site is well located to utilise public transport including Redfern Station located 950 m west of the site, the Waterloo Metro Station located 900 m south-west of the site, and a number of bus stops adjacent to the site.
4A Solar and Daylight Access	<p>Consistent - the Applicant's assessment concludes the following compliance for each building:</p> <ul style="list-style-type: none"> • Building S2: <ul style="list-style-type: none"> – 161 apartments (82% of the building) will achieve at least 2 hours of direct sunlight – 5 apartments (3% of the building) will have no direct sunlight • Building S3: <ul style="list-style-type: none"> – 77 apartments (71% of the building) will achieve at least 2 hours of direct sunlight – 5 apartments (5% of the building) will have no direct sunlight • Building S4: <ul style="list-style-type: none"> – 36 apartments (72% of the building) will achieve at least 2 hours of direct sunlight – 3 apartments (6% of the building) will have no direct sunlight

ADG section	Department's consideration
	Heat intrusion has also been considered in the design of buildings by providing external sun access and shading to all apartments wherever the tree canopy would not shade the apartment during summer.
4B Natural Ventilation	<p>The Applicant's assessment concludes the following compliance for each building:</p> <ul style="list-style-type: none"> • Building S2: <ul style="list-style-type: none"> – 101 apartments (64%) that are less than 9 storeys in height are naturally cross ventilated. The remaining apartments above this height are assumed to be naturally cross ventilated under the ADG principles. • Building S3: <ul style="list-style-type: none"> – 62 apartments (57% of the building) are naturally cross ventilated. A further 8 apartments (7%) are ventilated when using plenums and the windows and doors are shut to mitigate road noise. • Building S4: <ul style="list-style-type: none"> – Only 4 apartments (8% of the building) will be naturally cross ventilated. However, when utilising plenums, a further 33 apartments (66%) of the building would be ventilated. <p>The depth of cross-through apartments is also less than 18 m.</p>
4C Ceiling Heights	Consistent - all proposed residential buildings provide 3.17 m floor to floor heights, which can achieve the ADG minimums as well as the NCC standards.
4D Apartment Size and Layout	Consistent – the Applicant assessment confirms the apartments sizes, window sizes, habitable room depths, bedroom and living room dimensions and areas, and the width of cross-through apartments comply.
4E Private Open Space and Balconies	<ul style="list-style-type: none"> • All apartments in Building S3 comply with the recommended balcony areas and dimensions. • Three apartments in Building S4 (S4.103, S4.203, and S4.303) do not achieve the minimum areas and dimensions, but each of these apartments are provided with three balconies totalling 15 m². All balconies achieve excellent solar access and contribute to façade articulation and the passive surveillance of the building entrance and the street. • 40% of the apartments in Building S2 are not provided with private open space. These apartments are fronting the communal breezeway and will have access to the oversized communal amenities on the roof including outdoor open space, a communal kitchen, laundry drying area, and children's play spaces. The Department notes that the design competition jury selecting the winning design for this building concluded that the breezeway and larger communal facilities would be an appropriate offset for those apartments that did not have private open space, and that this design approach had to be retained through the design development phase of the project.

ADG section	Department's consideration
	<ul style="list-style-type: none"> No ground floor terraces are provided for Building S3, which is elevated above ground level to address flooding, or Building S4 that provides ground floor commercial and community uses. Three apartments in Building S2 would have private outdoor terraces between 12-17 m² in area fronting Walker Street. The remaining apartments in Building S2 are elevated above ground level and cannot accommodate terraces with individual entrances.
4F Common Circulation and Spaces	<ul style="list-style-type: none"> Buildings S2, S3 and S4 each have two lift cores that are shared across all apartments. This ensures that no more than 12 apartments are accessed from a single circulation core, and that less than 40 apartments share a single lift in both Buildings S3 and S4. While Building S2 would have approximately 49 apartments per lift, this is a minor departure from the ADG recommendation and would not adversely impact circulation. All corridors are naturally ventilated and, because the lift cores are shared between the apartments in each building, they provide excellent opportunities for socialisation and interaction. The corridors have not been articulated but are an integral design feature of each of building.
4G Storage	Consistent - the proposed apartments can provide sufficient storage within the apartment, while some apartments will also have access to basement storage cages.
4H Acoustic Privacy & 4J Noise and Pollution	Consistent - the proposed apartments have been designed with consideration of noise intrusion as discussed in Section 5 .
4K Apartment Mix	As outlined in the NSW Social Housing waitlist (NSW FAC 2024) and the Social Housing Assistance Commissioning Data Report (NSW DCJ 2023/2024), there is a high demand for two or less bedroom dwellings. The proposal has been designed to provide a range of range of bedroom types, with an emphasis on smaller units to best align with need. This includes 95.5% of all dwellings as studio, 1-bedroom and 2-bedroom units, and 4.5% of dwellings as 3-bedroom units.
4L Ground Floor Apartments	Providing ground floor private terraces across much of the site is not possible because the proposed buildings have been raised to address flooding or non-residential uses have been provided at ground level. There are three apartments in Building S2 that can be accessed from Walker Street.
4M Facades	Consistent - the development is considered to have achieved design excellence as discussed further in this report.
4N Roof Design	Consistent - each of the proposed residential buildings are provided with landscaped rooftop terraces.
4O Landscape Design & 4P Planting on Structures	Consistent - a range of ground floor and rooftop landscaped areas are provided for the proposed buildings. Adequate soil depths and volumes

ADG section	Department's consideration
	will be achieved at the detailed design and construction documentation stages to support mature plant growth.
4Q Universal Design	Consistent - all homes will be built to be Silver Liveable Standard and 15% will also achieve the Gold Liveable Standard and AS 4299 Adaptable Housing.
4R Adaptive Reuse	No adaptive reuse is proposed.
4S Mixed Use	Consistent - Building S1 and the ground floor of Building S4 provide non-residential uses to activate Elizabeth Street. The development has also been assessed against the principles of Crime Prevention Through Environmental Design.
4T Awnings and Signage	Consistent - the buildings have indented entrances so that they are protected from the weather without providing awnings over the footpath. Business identification signage zones are also proposed for Buildings S1 and S4 to assist wayfinding and to help to activate Elizabeth Street. The detailed design and installation of signs will be subject to a separate and future application.
4U Energy Efficiency & 4V Water Management and Conservation	Consistent - the proposed development meets the relevant BASIX energy and water standards and the requirements of the Sustainable Building SEPP.
4W Waste Management	Consistent - the development can appropriately manage, store, and remove waste as detailed in Section 5 .
4X Building Maintenance	Consistent - the buildings have been designed to enable maintenance works.

State Environmental Planning Policy (Sustainable Buildings) 2022

The Applicant submitted an Embodied Emissions Form certified by a Quantity Surveyor measuring emissions of the community centre in accordance with Section 3.2(2) of the SEPP and 35BA of the EP&A Regulation. The Applicant also submitted NatHERS and BASIX Certificates confirming the development would meet the relevant requirements.

The Applicant's Ecologically Sustainable Development report adequately responded to the matters in Section 3.2(1) of the SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) identifies matters for consideration in assessing development adjacent to roads and train tunnels and requires consultation with relevant public authorities about certain development during the assessment process. These matters are considered in **Table 13**.

Table 13 | Department's consideration of Transport and Infrastructure SEPP

Section	Consideration
Section 2.48 – Determination of development applications, other development	<p>Works to existing underground electrical power lines must be referred to the electrical supply authority. The application was referred to Ausgrid during public exhibition, and no concerns were raised.</p> <p>The Department recommends standard conditions that works to utilities and services are refined with the relevant provider.</p>
Section 2.119 – Development with frontage to classified road	<p>The site fronts Elizabeth Street, which is a classified road of regional importance (reference number 2083) between the intersections of Bourke Street and Cleveland Street. The application was referred to TfNSW during public exhibition and TfNSW supported the development subject to the design and construction of the civil works being to the satisfaction of Council as the relevant road authority.</p> <p>Any changes to Elizabeth Street, including potential changes to the location of the bus stop, do not form part of this application and would need to form separate and future applications to the relevant authority.</p> <p>The proposed residential and community uses fronting the road have also been designed to consider the potential noise and vehicle emissions from the road (discussed further in Section 5.4).</p>
Section 2.120 – Impact of road noise or vibration on non-road development	<p>Elizabeth Street has an annual average daily traffic volume of more than 20,000 vehicles, requiring consideration of the likely adverse impacts of road noise and vibration on residential accommodation.</p> <p>The proposed development has considered road noise as discussed in Section 5.4.</p>
Section 2.122 – Traffic generating development	<p>Vehicle access is not proposed off Elizabeth Street (a classified road) or a road that directly connects to Elizabeth Street, and as such the development is not considered to be traffic-generating.</p> <p>Notwithstanding this, the application was referred to TfNSW during public exhibition. TfNSW did not raise any concerns with the application.</p>

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 of the Resilience and Hazards SEPP aims to ensure that potential contamination issues are considered in the determination of a development application.

The Applicant submitted a detailed (Stage 2) contamination assessment confirming that the areas of fill and underlying areas of natural peat on the site contained concentrations of contaminants that were greater than the assessment criteria for residential development, and that the south-western corner of the site was affected by asbestos containing materials. Potential or actual acid sulfate soils were also identified across most of the site (discussed separately in **Table 15** below).

Groundwater was measured at a depth of 1-2 m below ground level and contained concentrations of copper and zinc that is considered to be typical of background conditions in the area. Sampling indicated that there was a low risk of other contaminants leaching into the groundwater.

A Hazardous Building Materials Survey and Asbestos Assessment was also completed for the existing PCYC building proposed to be demolished. These assessments confirmed the presence of

several hazardous materials and types of asbestos and recommended that these hazardous materials be removed prior to the overall demolition works commencing.

The Applicant's Remediation Action Plan (RAP) seeks to excavate the fill layer at each of the identified contaminant areas for disposal off-site. Upon verification that the contaminated areas have been effectively remediated, the remaining sitewide fill would be excavated to provide the proposed basement.

An EPA accredited Site Auditor prepared Interim Advice confirming that the Applicant's documents had been reviewed and that the site was capable of being made suitable for the proposed high-density development subject to some recommendations that to be captured in the remediation process and in a future validation report.

Council's submission requested that the RAP be updated to include the land that would be dedicated to Council to expand the pedestrian footpaths on Elizabeth Street and Phillip Street.

The Applicant submitted an updated RAP with the RtS which confirmed that a data-gap analysis would be required to address the currently restricted access to soils beneath the PCYC Building and the footpaths on Phillip Street and Elizabeth Street.

The Department supports the recommended conditions by the EPA and Council and finds the site can be made suitable for its intended use through review and oversight by an independent accredited Site Auditor, implementation of the RAP and Hazardous Building Materials Survey and Asbestos Assessment, and the preparation of a Data Gap Assessment and associated updated and additional management plans.

State Environmental Planning Policy (Industry and Employment) 2021

Business and building identification signage zones are proposed for Building S1 and Building S4 as detailed in **Table 14** below.

The Department has considered these signs against the aims in Part 3 and the criteria in Schedule 5 of the SEPP and considers the proposed signage supports the operation of the development, is compatible with the mixed-use context of Elizabeth Street, and would not adversely impact the amenity or safety of surrounding areas. The Department notes that the detailed design and installation of signage would be the subject of a separate and future application that would further assess the compatibility of signage including any illuminated or variable signage.

Table 14 | Proposed business identification signage zones

Building	Location	Dimensions
Building S1	Northern elevation façade	1.25 m (height) x 2.5 m (width)
Building S1	Northern elevation façade beside the building entry	1.24 m (height) x 1 m (width)
Building S1	Western elevation window decal	1 m (height) x 7 m (width)
Building S4	Southern elevation façade at the office entrance	0.65 m (height) x 1.2 m (width)
Building S4	Southern elevation façade at the residential entrance	0.65 m (height) x 1.2 m (width)
Building S4	Western elevation façade community facility entrance	0.65 m (height) x 0.7 m (width)

Sydney Local Environment Plan 2012

The Sydney Local Environment Plan 2012 (SLEP 2012) is the primary planning instrument governing the use of the site. The Department has considered the relevant provisions of SLEP 2012 at **Table 15**.

The Department also consulted with Council throughout the assessment process and considered the matters raised in submissions from Council and the public (see **Section 5**).

Table 15 | Department's consideration of SLEP 2012

Clause	Objective/control	Department's consideration
Clause 1.9 Application of SEPPs	Chapter 2, Part 2, Division 1 of the Housing SEPP does not apply to 600-660 Elizabeth Street, Redfern.	The remaining sections of the Housing SEPP that apply to the development have been considered in this report above.
Clause 2.1 Land use zones	The site is zoned R1 General Residential.	<p>The use of the site for the purposes of residential accommodation and community facilities are permitted with consent in the zone.</p> <p>The office on the ground floor of Building S4 is prohibited in the zone.</p> <p>However, the consent authority may still grant consent to the development under Section 4.38(3) of the EP&A Act.</p> <p>The Department also considers the development is compatible with the objectives of the zone. The minor office space will help to manage social and affordable housing on the site and in surrounding areas and does not undermine the objective to provide predominantly residential development on this site.</p>
Clause 4.3 Height of buildings	The mapped maximum building heights apply to the site range from RL 51.7 m to RL 87.5 m.	All buildings and associated structures would comply with the mapped height limits, except for a rooftop balustrade on Building S3. This is justified in a variation request under Clause 4.6 of SLEP 2012 (discussed further in Appendix E below).
Clause 4.4 Floor space ratio	The site is mapped for a base FSR of 1.5:1. Other bonuses apply under Clause 6.21D and 6.59 of SLEP 2012, discussed further below.	<p>The development would provide 26,317 m² of GFA (excluding community uses) and have an FSR of 2.43:1.</p> <p>The Applicant proposes to vary the FSR development standard under clause 4.6 of SLEP 2012, including the applicable bonuses available under other provisions of the LEP (see Appendix E for further discussion).</p>

Clause	Objective/control	Department's consideration
Clause 4.6 Exceptions to development standards	Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the Applicant that seeks to justify the contravention of the development standard.	The Applicant has provided a request to vary the height of buildings and floor space ratio development standards under clause 4.6 of the SLEP 2012. This is detailed further at Appendix E .
Clause 5.10 Heritage conservation	The site is not mapped as heritage item or as being within a heritage conservation area. But, the site is proximate to heritage items and heritage conservation areas.	<p>The Applicant has considered the impacts of the development in the Statement of Heritage Impact which confirmed the proposal would not adversely impact the significance of surrounding heritage items or conservation areas</p> <p>The Department accepts the advice of HNSW-EH that the project proceed subject to the recommended conditions.</p>
Clause 5.21 Flood planning	Development within a flood planning area must consider flood function and behaviour, impacts to behaviour, the safe occupation and evacuation of people, measures to manage risk to life, and impacts to the environment.	<p>The Department has considered the Applicant's Flood Impact Assessment (FIA) and additional information which addressed changes to flood behaviour and the design and scale of the development and nominated measures to minimise risk to life and ensure safe evacuation off-site where possible. The Department is satisfied the development:</p> <ul style="list-style-type: none"> • is not constructed on areas classified as floodways • does not alter the flood behaviour or the depth or hazard category of floodwaters in any surrounding property • while some changes to flood hazard categories and depths have been modelled in the surrounding road network, these changes are minor and would not materially change the functionality of these roads • has been designed for the safe occupation of the site during major storm events and the evacuation of residents, staff and visitors in all other events via the internal areas of the site and the road network to the north • risk to life has been considered when designing the buildings and internal areas to achieve the flood planning levels, designing

Clause	Objective/control	Department's consideration
		<p>access to the flood storage tank, and noting that the detailed design of structures would be certified by a structural engineer to achieve the relevant Australian Standards for flood resilience</p> <ul style="list-style-type: none"> would not adversely affect the environment, noting that the site is in a developed area and is not proximate to a watercourse or riparian zone.
Clause 6.21C Design excellence	Development consent must not be granted unless the consent authority is of the opinion that the development exhibits design excellence having regard to a number of matters.	<p>The application was the subject of a competitive design process, an invited expression of interest process, and has been reviewed by the DRP.</p> <p>The DRP confirmed that the project was capable of design excellence at the time of lodgement, and the project has been refined in response to the feedback received from the DRP, as well as in response to other agency, Council and public feedback. The Department considers the development exhibits design excellence.</p>
Clause 6.21D Competitive design process	<p>Development with a capital investment value of more than \$100 million or a building height greater than 25 m must apply a competitive design process (design competition), unless the consent authority has considered the process would be unreasonable and unnecessary in the circumstances.</p> <p>A building that was subject to the competitive design process and determined to achieve design excellence may exceed the FSR by up to 10%.</p>	Building S2 was the subject of a competitive design alternatives process in accordance with the City of Sydney Competitive Design Policy 2020, the Government Architect's Design Excellence Competition Guidelines, and the site-specific Design Guide. The winning design for Building S2 exhibits design excellence and has been awarded a floor space bonus of 10%.
Clause 6.59 600-660 Elizabeth Street, Redfern	(2) development consent must not be granted unless the consent authority is satisfied the buildings will not overshadow Redfern Park and Oval between 9am and 3pm	The Applicant submitted detailed overshadowing modelling demonstrating that the shadow cast by the development at 9 am on midwinter, being the worst-case scenario, would not enter the park.
	(3) a building may exceed the FSR shown on the map by:	<p>The development provides 30,019 m² of GFA, comprising:</p> <ul style="list-style-type: none"> S1 – 3,535 m² of community facility GFA

Clause	Objective/control	Department's consideration
	<p>(a) up to 0.57:1 if at least 3,500 m² of floor area is used for community facilities</p> <p>(b) up to 0.15:1 if BASIX affected development exceeds the BASIX commitments for energy and water by at least 5 points</p> <p>(5) the GFA does not include the floor area used for community facilities</p> <p>(7) the floor space amount permitted under the relevant design excellence provisions is taken to include all additional amounts under subclause</p>	<ul style="list-style-type: none"> • S2 – 14,557 m² of residential GFA • S3 – 7,685 m² of residential GFA • S4 – 4,075 m² of commercial and residential GFA, and 167 m² of community facility GFA <p>The Applicant's measure of GFA excludes breezeways that are used to access apartments in Buildings S2, S3 and S4. While these breezeways would be covered by a roof and partially enclosed by walls and balustrades, the Department is satisfied that these spaces have been designed and would function as outdoor spaces. The Department accepts excluding these spaces from the calculation of FSR in accordance with the relevant NSW Land and Environment Court judgments.</p> <p>By also excluding the communal facility GFA under Clause 6.59(5) of SLEP 2012, the development seeks consent for a total GFA of 26,317 m² and an FSR of 2.43:1.</p> <p>This FSR aligns with the maximum considered at the Planning Proposal stage, but the proposed development has not achieved the BASIX standards under Clause 6.59(3)(b) meaning this application will vary the maximum permissible FSR by 1,612 m² (6.5%). The additional GFA available under the design excellence bonus (Clause 6.21D(3)(b)) is also therefore reduced.</p> <p>This proposed variation is discussed further at Appendix E.</p>
	<p>(4) development consent must not be granted unless:</p> <p>(a)(i) at least 30% of the gross floor area of residential accommodation is used for affordable housing</p> <p>(a)(ii) the affordable housing will be provided by or on behalf of a public authority or social housing provider</p>	<p>Affordable housing includes housing for very low-income households, low-income households, or moderate income households as prescribed in the Housing SEPP. All social and affordable housing would meet this definition, exceeding the 30% requirement.</p> <p>The application is proposed on behalf of Homes NSW (LAHC).</p>
	<p>(b) has considered the Design Guide published in October 2023</p>	<p>Consistency with the Design Guide is considered in the section below.</p>
Clause 7.3 Car parking rates not to	Development consent must not be granted if car parking provided on	The development will provide 66 residential car parking spaces, which is significantly less

Clause	Objective/control	Department's consideration
exceed maximum set out in this Division	the site is greater than the maximum set out in this division.	than the 229-maximum permitted for the residential component.
Clause 7.13 Contribution for the purposes of affordable housing	The site is not mapped as residual land and is not located in Green Square, Ultimo Pyrmont, Central Sydney, or the southern employment lands.	This provision does not apply to the site.
Clause 7.14 Acid sulfate soils	Consent is required for works below the natural ground surface or works to the water table, requiring the preparation of an acid sulfates soil management plan.	<p>The Applicant's Acid Sulfate Management Plan confirms that areas of the site are characterised as Potential Acid Sulfate Soils and details strategies for the treatment and management of any drained, disturbed or excavated acid sulfate soils when undertaking earthworks, as well as contingencies in the event of unexpected finds.</p> <p>The Department recommends implementing the Acid Sulfate Management Plan as part of the Construction Environmental Management Plan.</p>
Clause 7.20 Development requiring or authorising preparation of a development control plan	<p>Development consent must not be granted to development to which this clause applies unless a development control plan has been prepared.</p> <p>The consent authority may determine that a development control is unreasonable or unnecessary in the circumstances.</p>	Clause 6.59(6) confirms that this provision does not apply to the site.
Clause 7.27 – Active street frontages	The Elizabeth Street frontage of the site is identified as an active street frontage, requiring all land at the ground floor to be used for either business or retail premises.	<p>The Department notes that only food and drink premises and neighbourhood shops are permitted with consent in the R1 General Residential zone, while all other forms of retail and business uses are prohibited.</p> <p>The proposed development meets the intent of this provision, being to attract pedestrian traffic to this street frontage, by providing a community centre and office space at the ground floor of the buildings fronting Elizabeth Street.</p>

Design Guide – 600-660 Elizabeth Street, Redfern

The Design Guide were adopted as part of the Planning Proposal to provide more detailed guidance for development on the site. These guidelines are also referenced as a matter for consideration in Clause 6.59 of the Sydney LEP 2012.

The Applicant provided a detailed assessment of the Design Guide demonstrating that the development was compatible with these guidelines, noting the following:

- the development provides the intended community facility, footpath widenings, and easements for public access
- the development achieves the numerical deep soil and tree canopy cover targets
- the development provides an appropriate transition in building heights, with the tallest building located nearest to the existing high-density buildings at William McKell Place and Poet's Corner, that then step down in height to create a consistent 3-4 storey scale to Phillip Street and Redfern Park
- the development has achieved appropriate internal amenity levels and has adequately addressed its impacts on the external environment including wind conditions, noise, overshadowing, privacy, and ventilation
- the development achieves high levels of ESD performance, despite being unable to achieve the additional 5 points above the BASIX water standards which would require significant capital and operational investment by the community housing provider, and
- the development is compatible with the desired future character statement by providing primarily affordable housing on the site and a new community facility which achieve high standards of sustainability, a rich landscaped ground plane with new pedestrian connections, building heights that do not overshadow Redfern Park and respond to surrounding lower scale buildings, and diverse architectural styles and treatments.

Appendix E – Clause 4.6 variations

Clause 4.6(2) of SLEP 2012 permits the consent authority to consider varying a development standard imposed by an EPI. The aim of clause 4.6 is to provide an appropriate degree of flexibility in applying development standards, to achieve better development outcomes. In considering a proposed variation, clause 4.6 requires the following:

(3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:

(a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and

(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.

In accordance with clause 4.6(3), the Applicant has prepared a written request to vary the height of buildings and the floor space ratio (FSR) development standards as they apply to the site.

The Department's consideration of the Applicant's request is provided below with reference to the Guide to Varying Development Standards November 2023 and other relevant tests.

Height of buildings

Nature of the variation

The mapped maximum height of buildings controls for this site range between RL 51.7 m on the southern edge of the site to RL 87.5 m in the north-eastern corner of the site. A maximum 3 m height limit also applies to the Elizabeth Street and Phillip Street frontages of the site (see **Figure 10**).

The Applicant is seeking to vary the maximum building height by up to 0.32 m for a section of Building S3's rooftop where the maximum building height transitions from RL 64.8 m to RL 68.4 m. This variation represents a 0.49% non-compliance. See **Figure 11** below.



Figure 10 | Mapped SLEP 2012 maximum building heights (source: SLEP 2012)

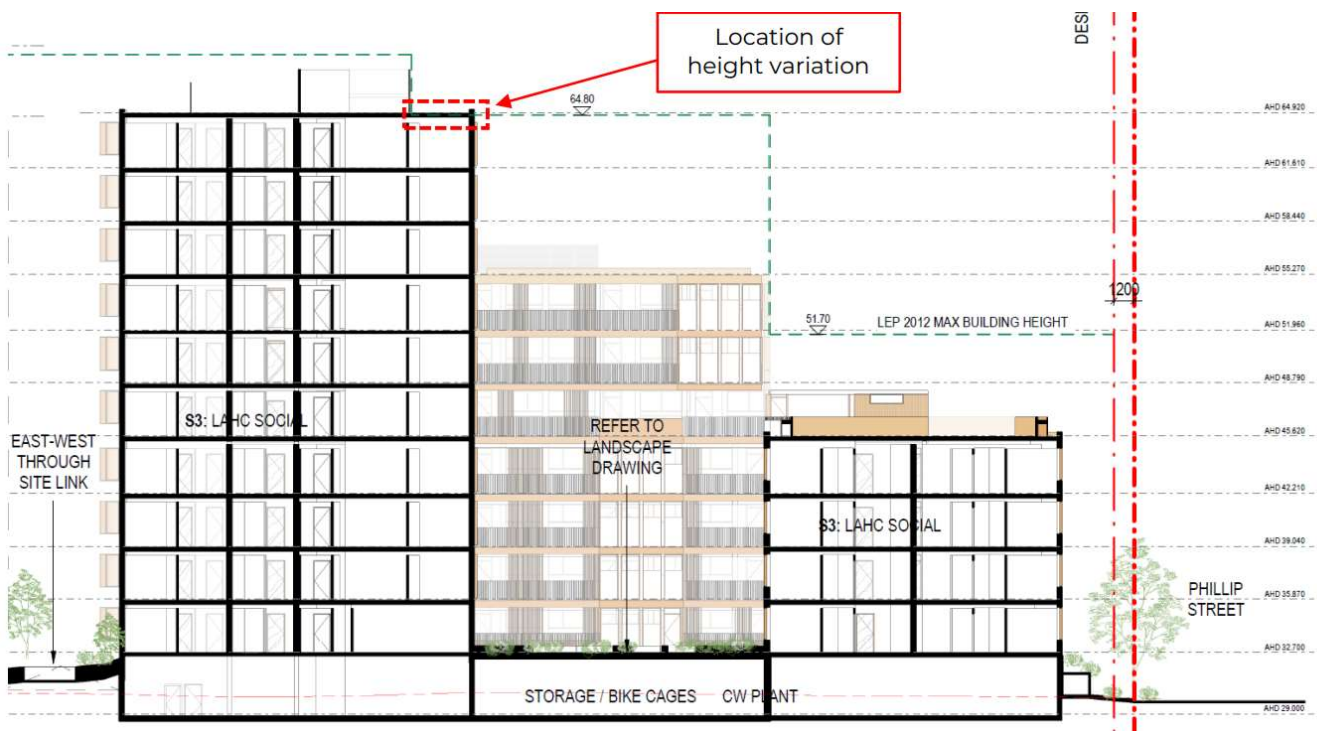


Figure 11 | Context of the proposed height variation (source: Applicant's EIS)

Has the applicant demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances

The Applicant demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, having regard to the first test outlined in *Wehbe v Pittwater Council* [2007] NSWLEC 827. The first test establishes that compliance with the

development standard would be unreasonable or unnecessary where the proposed development achieves the objectives of the standard.

The objectives for the height of buildings development standard are as follows:

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

The Department has considered the Applicant's request and concludes the development achieves the objectives of the height of buildings development standard as:

- The site conditions are appropriate for the minor proposed variation because the site is in a well-serviced urban area and the desired future character and planning controls for this site support high-capacity development.
- The proposed height variation is minor (0.32 m) and is isolated to a single line of Building S3's rooftop, ensuring it does not materially increase the bulk and scale of development.
- Because of the minor nature of the variation and its location, it would be largely imperceptible and would not alter the building's overall relationship to its context including surrounding heritage conservation areas and other surrounding centres.
- All remaining buildings and areas of Building S3 will comply with the maximum building heights ensuring the development does not erode the planned height transitions across this site.

Has the applicant demonstrated there are sufficient environmental planning grounds to justify the contravention of the development standard

The Applicant's written request justifies contravention of the development standard on the following environmental planning grounds:

- The variation relates to structural and servicing requirements that necessitate a certain floor-to-floor height for the proposed building.
- The proposed development is broadly consistent with each object of the EP&A Act notwithstanding the variation to the development standard.
- The proposed variation does not undermine the key rationales used at the planning proposal stage to determine the maximum height of buildings, including that the development not overshadow Redfern Park and Oval and not overshadow more than 70% of the western façade of the Walker Street terraces between 9am and 3pm at midwinter.

- The minor extent and isolated location of the proposed variation to Building S3 ensures it won't reduce the development's ability to provide appropriate height transitions across the site.

The Department considers the Applicant has adequately demonstrated there are environmental planning grounds for the proposed minor variation to the development standard. The variation would result in supportable planning outcomes.

The Secretary's concurrence is not required for the proposed variation.

Floor space ratio

Nature of the variation

The maximum floor space ratio for development on this site is a combination of the mapped FSR and FSR bonuses available under Clause 6.59 and Clause 6.21D of SLEP 2012 as detailed in **Table 16** below. The community facility GFA is also excluded from FSR calculations under Clause 6.59(5) of SLEP 2012.

Table 16 | Permissible FSR

Provision	FSR	GFA (m ²)
Base FSR (Cl. 4.4 of SLEP 2012)	1.5:1	16,275
Community facility bonus (Cl. 6.59(3)(a) of SLEP 2012)	0.57:1	6,185
BASIX bonus (Cl. 6.59(3)(b) of SLEP 2012)	0.15:1	1,628
Subtotal	2.22:1	24,087
Design excellence bonus (Cl. 6.21D(3)(b) of SLEP 2012)	0.22:1 (10% of the total FSR)	2,409
Total	2.44:1	26,496

The development seeks to vary the FSR by 1,612 m² (6.5%) because it is unable to achieve the BASIX bonus (Clause 6.59(3)(b) of SLEP 2012), and specifically the additional 5 points above the BASIX water standards. The FSR available under the design excellence bonus (Clause 6.21D(3)(b)) is also therefore reduced.

The Applicant's request to vary the development standard argues that the BASIX water standards cannot be achieved because it would require significant capital and operational investment by the community housing provider.

The Planning Proposal that imposed the BASIX bonus for this site assumed that 70% of all housing would be market housing, and only 30% would be social or affordable housing. Achieving the higher BASIX water standards therefore requires that 70% of the apartments install highly water-efficient appliances (washing machines, dishwashers and the like) to be on-sold to future homeowners.

Because the application now includes nil market housing, such appliances cannot be installed in the apartments and on-sold to the social/affordable tenants, and the community housing provider cannot fund the long-term maintenance and replacement of such infrastructure. This means the proposed development will achieve the original target (BASIX water 40) rather than the stretch target (BASIX water 45).

The Applicant confirms that the development would still achieve the elevated BASIX energy standards, while also noting that Council is currently pursuing a Planning Proposal¹ to remove the energy targets contained in several SLEP 2012 provisions following the state-wide updates under SEPP Sustainable Buildings.

Has the applicant demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances

The Applicant demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, having regard to the first test outlined in *Wehbe v Pittwater Council* [2007] NSWLEC 827. The first test establishes that compliance with the development standard would be unreasonable or unnecessary where the proposed development achieves the objectives of the standard.

The objectives for the FSR development standard are as follows:

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

The Department has considered the Applicant's request and concludes the development achieves the objectives of the FSR development standard as:

- While the Applicant proposes to vary the FSR development standard, the proposed maximum FSR will be 2.442:1 which is consistent with the maximum capacity that was planned for this site at the Planning Proposal stage. The project achieves the anticipated development capacity for this site and does not further intensify land uses.
- The development provides 29% of the permissible parking spaces for this site and therefore results in minor traffic impacts while promoting active and sustainable transport options.
- The site is in an existing urban area and the proposed development is capable of being appropriately serviced.

¹ The Department notes that the Planning Proposal was publicly exhibited from 17 December 2024 to 14 March 2025 and is therefore a matter for consideration under Section 4.15 of the EP&A Act.

- The development generally achieves the objectives and controls in the Design Guide (see **Appendix D**) and is compatible with strategic plans, policies and guidelines (see **Section 3**) ensuring it aligns with the desired future character of the site and locality.
- The assessment in **Section 5** and **Appendix D** have demonstrated the development would not adversely impact the amenity of the locality.

Has the applicant demonstrated there are sufficient environmental planning grounds to justify the contravention of the development standard

As discussed above, the applicant asserts that the primary environmental planning ground for the variation is that the BASIX targets set for this site are no longer achievable because the development will provide 100% social, affordable, and specialist disability accommodation housing rather than the 30% target established at the Planning Proposal stage. The Applicant asserts that the intention of this bonus has been achieved notwithstanding the proposed variation, as the development will still achieve a high standard of ESD including a 5-star Green Star Buildings Design and As Built rating and the higher BASIX energy standards.

The Department considers the Applicant has adequately demonstrated there are environmental planning grounds for the proposed minor variation to the development standard. The variation would result in supportable planning outcomes.

The Secretary's concurrence is not required for the proposed variation.

Appendix F – Recommended instrument of consent

The instrument can be found on the NSW Planning Portal at:

<https://www.planningportal.nsw.gov.au/major-projects/projects/600-660-elizabeth-street-redfern-mixed-use>