



# Environmental Assessment

Pemulwuy Project  
Project Approval Application  
No.11\_0093

Eveleigh/Vine/Louis/Caroline and  
Lawson Streets  
REDFERN

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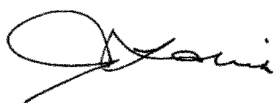
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I declare that I have prepared this environmental assessment and to the best of my knowledge:

- it contains all available information that is relevant to the environmental assessment of the development to which the assessment relates; and
- the information contained in it is neither false nor misleading



Andrew George LUDVIK  
Ludvik & Associates Pty Ltd

Date: 15 December 2011

Issue	Date	Description	By
A		Final Assessment	Andy Ludvik

AHC	Aboriginal Housing Company
ATSI	Aboriginal and Torres Strait Islander
BEP 1	Redfern-Waterloo Built Environment Plan (Stage 1)
DGR's	Director-General's Requirements
DPI	Department of Planning & Infrastructure
EA	Environmental Assessment
EP&A Act	Environmental Planning & Assessment Act 1979
Infrastructure SEPP	State Environmental Planning Policy (Infrastructure) 2007
Major Development SEPP	State Environmental Planning Policy (Major Development) 2005
Metro Plan	Metropolitan Plan for Sydney 2036
Minister	Minister for Planning & Infrastructure
PAC	Planning Assessment Commission
PEA	Preliminary Environmental Assessment
PP	Pemulwuy Project
RTA	Roads and Traffic Authority of NSW
RWA	Redfern-Waterloo Authority
SCC	Sydney City Council
SEPP 55	State Environmental Planning Policy No.55 - Remediation of Land

## Executive Summary

### Introduction

This application seeks Project Approval for the construction of the *Pemulwuy Project (PP)* by the *Aboriginal Housing Company (AHC)* under the terms of *State Environmental Planning Policy (Major Development) 2005, (Major Development SEPP)*.

The *Project* involves the comprehensive redevelopment of land in Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, for a mixed-use development which includes residential, commercial, retail, community and cultural facilities as well as public open space and landscaping.

A *Preliminary Environmental Assessment (PEA)* was prepared and submitted to the *Department of Planning & Infrastructure (DPI)* in July 2011 in relation to the application.

This application is to be submitted concurrently with an application to modify Concept Plan Approval No.06\_0101, under Section 75W of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

*Director-General's Requirements (DGR's)* MP06\_0101 MOD1 and MP 11\_0093 were issued on 12 August 2011 in respect to these applications.

Copies of the *DGR's* are contained in **Appendix 1** in the **Register of Appendices** to be submitted in connection with the applications.

This assessment is predicated on the application for the modification of Concept Plan No.06-0101 having been approved.

The project involves:

- 17,365m<sup>2</sup> of gross floor area comprising a maximum of:
  - 2,655m<sup>2</sup> of retail/commercial gross floor area;
  - 12,725m<sup>2</sup> of residential gross floor area (including the student housing); and
  - 1,985m<sup>2</sup> of cultural/community gross floor area (including a gymnasium/fitness centre, a child care centre, a gallery and offices for the *AHC*);
- 700m<sup>2</sup> of public open space; and
- a car park accommodating one hundred and fifteen (115) cars.

This *EA*:

- addresses the issues associated with the development under the terms of the *Major Projects SEPP*;
- has been prepared to meet the *DGR's* dated 12 August 2011; and
- is to be submitted concurrently with the application for the modification of the Concept Plan Approval for the *PP*.

The executive summary provides an overview of the proposal.

### **Objectives of the Project**

The *AHC* was established in 1973 to provide quality and culturally appropriate housing for the local *ATSI* community and has, between 1973 and 1994, progressively acquired land in this area with funding from the Commonwealth Government.

The current proposal provides the *AHC* with an economically viable opportunity to meet its charter.

The objectives of the proposal are:

- to provide a suitable mix of uses that satisfy the needs of the local *ATSI* community;
- to enable the *AHC* to develop the land in an economically viable manner to provide affordable housing for the local *ATSI* community;
- to ensure that the *Project* is fundable and deliverable by the *AHC* in accordance with its adopted business plans;
- to establish an on-going source of revenue to enable the *AHC* to maintain and enhance the quality, nature and range of services and facilities it provides to the local community; and
- to construct a mixed-use development that is consistent with the desired future character of this area as contemplated by:
  - the *Major Development SEPP*;
  - relevant statutory planning instruments; and
  - the strategies, land use and design concepts contained in the *Redfern-Waterloo Built Environment Plan (Stage 1)*, (*BEP 1*).

### **Statutory Planning Framework**

The land is within the *RWA* area identified on Map 3 in Schedule 3 - State Significant Sites of the *Major Development SEPP* and is subject to the development control measures contained in Part 5 of Schedule 3.

The proposal is permissible, with the consent of the *Minister for Planning & Infrastructure (Minister)*, under the terms of the *Major Development SEPP*.

The proposal replicates the development in the modification to Concept Plan Approval No.06\_0101 to be submitted concurrently with this application.

The proposal is to be consistent with the other relevant State environmental planning policies and planning policies and strategies specified in the *DGR's*.



### **Community Consultation**

The proposal has been formulated following an extensive community consultation program which has included:

- consultations with all of the relevant State and Local Government stakeholders, local businesses, members of the indigenous community and owners and occupiers of surrounding properties; and
- a community information event held on Tuesday, 22 November 2011, at Redfern Town Hall, Pitt Street, Redfern.

### **Environmental/Residential Amenity Considerations**

The proposal will not have any undue or unreasonable effect on the amenity enjoyed by residents of existing buildings on surrounding and nearby residential properties in terms of:

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

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

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

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

The proposal has been designed, and is expected, to lead to a significant improvement in community and public safety in this locality and to enhance the quality and amenity of the public domain.

Public domain improvements are to include:

- the establishment of a unique urban identity through the application of the *Pemulwuy* graphic, materials, cultural interpretive elements and plant selections to reinforce the shared pedestrian/vehicle zone in Eveleigh Street between Lawson and Caroline Streets and the substantial public open space areas proposed in Precincts 2 and 3;
- upgraded streetscapes, including new pavements, tree planting and improved street lighting, in Eveleigh, Caroline, Louis and Vine Streets;
- integration of cultural interpretation elements with the architecture and public domain;
- provision of a publicly accessible paved forecourt in Precinct 1 fronting Caroline and Louis Streets;

- a proposed “land bridge” connection over a portion of the Railway Corridor to provide improved physical and visual integration of the development with the surrounding community, Redfern Railway Station and Lawson Street; and
- application of crime prevention through environmental design principles in the design of the public domain to optimise public safety.

The land is conveniently located to access the extensive public transport services available in this area and is well placed to take advantage of reduced reliance of car-oriented journeys.

The availability of public transport services and the restrictive nature of parking in the area are expected to result in a relatively high mode share for public transport, walking and cycling for all trips associated with the proposal.

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

The impact of the additional traffic expected to be generated during the AM and PM peak periods is relatively minor and can readily be accommodated by the surrounding road network, with the proposed modifications proposed at the intersections of:

- Lawson and Eveleigh Streets; and
- Vine and Abercrombie Streets.

The proposal has been designed to accord with the principles of ecologically sustainable development:

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

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

The relevant service providers have been consulted and it is evident that the existing infrastructure is either adequate or can be augmented and extended to accommodate the proposed development.

## **Conclusion**

The project:

- is consistent with:
  - the objectives of the Business - Mixed Use zoning of the land and the planning principles relating to development in this zone specified in the *Major Development SEPP*; and
  - the desired future character of the area as contemplated by the *Major Development SEPP* and the *BEP 1*;
- represents a desirable urban design outcome for the development of this land in the context of the desired future character of the Redfern-Waterloo area and the Redfern Town Centre;
- conforms with the objectives and controls contained in the relevant policies applying to the redevelopment of the land;
- will represent an appropriate urban design response to the opportunities and constraints offered by the site and its setting and will be compatible and consistent with the planned future character of this locality;
- will provide interesting and attractive streetscape elements in this section of Redfern;
- will not have any undue or unanticipated impact on the amenity enjoyed by residents of surrounding properties in terms of overshadowing, loss of privacy, loss of views or visual impact;
- will not adversely impact on the efficiency and effectiveness of the surrounding road network; and
- conforms with the statutory heads of consideration contained in Section 79C of the *EP&A Act*.

Accordingly, the application is suitable for approval.

## **Statement of Commitments**

A statement of commitments relating to the project is contained in **Appendix 2**.

## 1.0 Introduction

This application seeks Project Approval for the construction of the *PP* by the *AHC* under the terms of the *Major Development SEPP*.

The *Project* involves the comprehensive redevelopment of land in Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, for a mixed-use development which includes residential, commercial, retail, community and cultural facilities as well as public open space and landscaping.

A *PEA* was prepared and submitted to the *DPI* in July 2011 in relation to the application.

This application is to be submitted concurrently with an application to modify Concept Plan Approval No.06\_0101, under Section 75W of the *EP&A Act*, and is predicated on the application for the modification of Concept Plan No.060101 having been approved.

*DGR's* MP06\_0101 MOD1 and MP 11\_0093 were issued on 12 August 2011 in respect to these applications.

Copies of the *DGR's* are contained in **Appendix 1** in the **Register of Appendices** to be submitted in connection with the applications.

The project involves:

- 17,365m<sup>2</sup> of gross floor area comprising a maximum of:
  - 2,655m<sup>2</sup> of retail/commercial gross floor area;
  - 12,725m<sup>2</sup> of residential gross floor area (including the student housing); and
  - 1,985m<sup>2</sup> of cultural/community gross floor area (including a gymnasium/fitness centre, a child care centre, a gallery and offices for the *AHC*);
- 700m<sup>2</sup> of public open space; and
- a car park accommodating one hundred and fifteen (115) cars.

This *EA*:

- addresses the issues associated with the development under the terms of the *Major Projects SEPP*;
- has been prepared to meet the *DGR's* dated 12 August 2011; and
- is to be submitted concurrently with the application for the modification of the Concept Plan Approval for the *PP*.

This assessment:

- provides details of the site;
- provides details of the development;
- provides a summary assessment of the proposal in terms of the environmental planning legislation applying to the land and the project; and
- addresses the key issues associated with the development.

## 2.0 Site Details

### 2.1 The Site

The site to be developed involves land in Lawson, Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, shown as Precincts 1, 2 and 3 on the plan contained in **Figure 1**.

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

A list of allotments comprising the site is contained in **Appendix 3**.

The site currently contains:

- a number of two (2) storey brick terrace houses on the properties in Eveleigh, Vine, and Louis Streets;
- a two (2) storey brick building on 104-106 Lawson Street, which is occupied by the *AHC*;
- a two (2) storey brick industrial/warehouse building on 36-42 Eveleigh Street, that is currently used as a boxing gymnasium;
- a derelict two (2)/part three (3) storey child care centre on 77-85 Eveleigh Street; and
- vacant land.

For design purposes, the land has been divided into the following three (3) development precincts:

- Precinct 1 - representing the land bounded by Eveleigh, Vine, Louis and Caroline Streets, with an area of 6,776m<sup>2</sup>;
- Precinct 2 - representing land fronting Lawson, Eveleigh and Caroline Streets, with an area of 1,303m<sup>2</sup>; and
- Precinct 3 - representing land bounded by Lawson and Eveleigh Streets and CityRail's Railway Corridor, with an area of 2,385m<sup>2</sup>.

It is also proposed to erect a structure over CityRail's Railway Corridor adjacent to the Lawson Street/Eveleigh Street intersection and to demolish a section of the wall on the northern side of the Lawson Street roadbridge over the Corridor to open up vista into the *PP* to facilitate its integration into the surrounding community.

The aggregation of the site will involve the closure of a number of redundant laneways and pathways.

A plan indicating these closures is contained in **Appendix 4**.

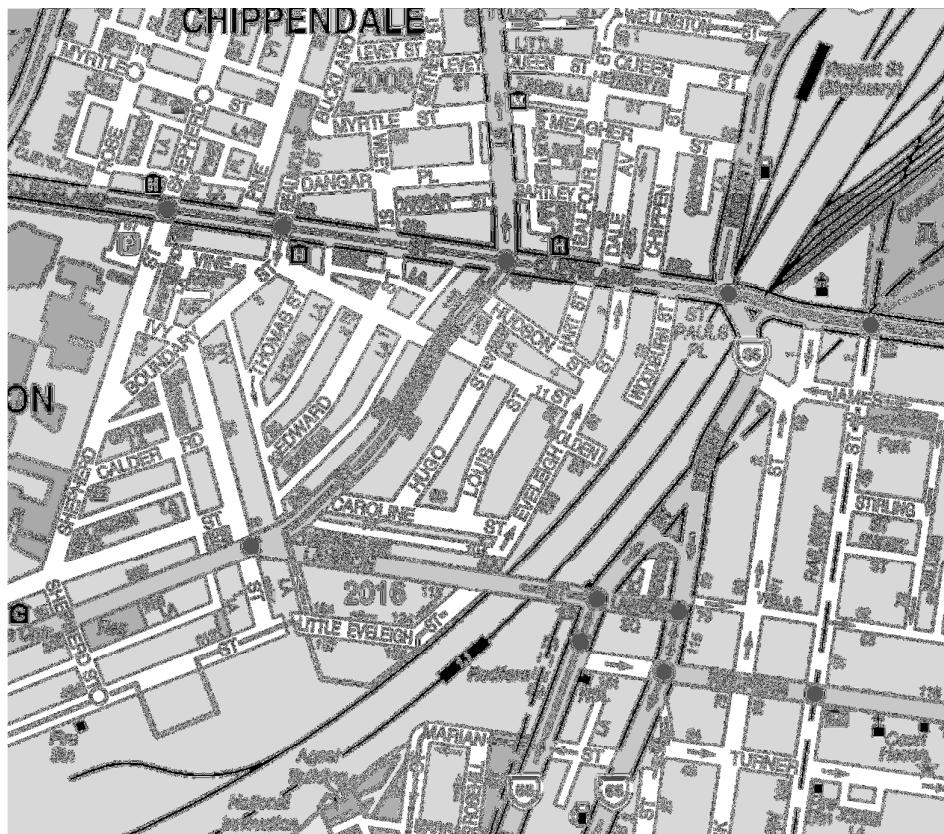
The closures are being implemented by *SCC*.

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

A copy of the survey plan is contained in **Appendix 5**.



**Figure 1**  
**Locality Plan**



**Figure 2**  
**Locality Plan**

A Materials Characterisation Report of the land has been prepared by SMEC Testing Services Pty Ltd.

A copy of the assessment is contained in **Appendix 15**.

The report indicates that based on site observations and testing of soil samples:

- the samples of the natural soils tested were found to have levels of environmental constituents that fall below the National Environment Protection Council and Department of Environment & Climate Change endorsed soil investigation levels for standard residential sites;
- in situ natural soils on the site consist of material that meets the criteria to be characterised as virgin excavation natural material as defined under the *Protection of the Environment Operations Act 1997*; and
- the fill material tested may be classified as general solid waste (non-putrescible).

## **2.2 Site Context**

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

The land immediately to the east of the site comprises the properties known as 47-75 Eveleigh Street, 1-5 Holden Street and infrastructure associated with CityRail's Railway Corridor.

The properties at 47-75 Eveleigh Street and 1-5 Holden Street contain two (2) storey brick terrace houses.

Further to the east, on the opposite side of the Railway Corridor, land has been developed for a mixture of higher-rise buildings used for retail, commercial and/or residential purposes at the western edge of the Redfern Town Centre.

The Redfern Railway Station is located within 50m to the south-east of the land to be developed.

The land to the north, on the opposite side of Vine Street, comprises the properties known as 5-7 Hudson Street.

These properties contain one (1)/part two (2) storey industrial/warehouse buildings currently used for office purposes.

The land to the west of the site comprises the properties known as 108-114 Lawson Street, 17 Caroline Street, 13 Vine Street and 1-53 Hugo Street.

These properties contain:

- two (2) or three (3) storey brick terrace houses on 108-114 Lawson Street, 17 Caroline Street, 13 Vine Street and 1-27 Hugo Street; and
- a contemporary two (2)/part three (3) storey community building and park and recreation area operating as the Redfern Community Centre on 29-53 Hugo Street.



The Community Centre takes up a substantial area fronting Hugo, Caroline and Louis Streets.

The Hugo Street residential properties extend through to Louis Street, presenting their rear fences and off-street parking facilities to their Louis Street frontage.

The land further to the west fronting Caroline and Vine Streets predominantly comprises two (2) storey terrace houses.

The land to the south, on the opposite side of Lawson Street, comprises the property known as 115 Lawson Street.

This property contains a three (3) storey mixed-use brick building occupied by the Home Bite Café at the ground floor level and dwellings at its upper floor levels.

The land further to the south-west largely comprises two (2) storey brick terrace houses fronting Lawson and Caroline Streets.

Lawson Street provides a major access route connecting Regent Street, Gibbons Street and the Redfern Railway Station to Abercrombie Street and the University of Sydney and associated facilities to the west.

The land is located in the area constrained by Lawson, Abercrombie and Cleveland Streets and CityRail's Railway Corridor and the only roads contained in this area are Eveleigh, Caroline, Louis, Hugo, Vine, Holden, Hudson and Hart Streets.

Eveleigh Street provides one-way northbound access from Lawson Street to Cleveland Street.

The other roads are essentially local access roads.

The area is conveniently located to public transport services with:

- the Redfern Railway Station located within 50m of the land; and
- major bus routes using Gibbons, Regent, Lawson, Abercrombie and Cleveland Streets to connect the area to the Sydney CBD and surrounding areas.

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

In summary, the area:

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

## 3.0 The Proposal

### 3.1 Details of the Project

The project involves the following development:

- the demolition of the existing improvements on the land;
- the redevelopment of the Precincts involved in the site as follows:
  - Precinct 1:
    - the construction of a two (2)/part six (6) storey mixed-use building containing:
      - sixty-two (62) dwellings;
      - 340m<sup>2</sup> of retail/commercial space;
      - 905m<sup>2</sup> of gymnasium/fitness centre space;
      - a car park accommodating a total of one hundred and fifteen (115) spaces in a basement level under the building, including ten (10) spaces capable of being used by people with a disability; and
    - the provision 865m<sup>2</sup> of publicly accessible open space.
  - Precinct 2:
    - the construction of a two (2)/part three (3) storey mixed-use building containing:
      - 1,465m<sup>2</sup> of retail/commercial space; and
      - a sixty (60) place child care centre;
  - Precinct 3:
    - the construction of a three (3)/part six (6) storey mixed-use building containing:
      - 1,100m<sup>2</sup> of retail/commercial space; and
      - a 475m<sup>2</sup> gallery; and
      - student housing accommodating a total of one hundred and fifty-four (154) beds in forty-two (42) units and a manager's flat;
- the strata subdivision of the dwellings in Precinct 1 upon the completion of the development;
- the construction of a bridge over part of CityRail's Railway Corridor to enable part of the wall on the northern side of the Lawson Street overbridge to be demolished to enable that area to be used as a public open space and the *PP* to be visually integrated into the surrounding community, as shown on Plan No.0DA070;
- the establishment of open space areas:
  - in Eveleigh Street between Lawson and Caroline Streets, to be known as *Pemulwuy*, "the meeting place" adjacent to the Eveleigh Street/Caroline Street intersection; and
  - fronting Caroline Street between Eveleigh and Louis Streets in Precinct 1; and
- the carrying out of public domain improvements and associated roadworks.

All of the buildings and facilities are to remain in the ownership of the *AHC* following completion of the development.

The buildings have been designed by Nordon Jago Architects and are depicted on the plans to be submitted with the application specified in the Drawings Register contained in **Appendix 7**.

Reduced scale copies of the development plans are contained in **Appendix 6**.

The buildings in the development are to contain significant horizontal and vertical articulation and modulation to create interesting and attractive facades and streetscape elements.

The character of the development is to be compatible and consistent with its desired future character envisaged by the planning controls contained in the *Major Development SEPP*.

Photomontages of the proposed development are contained in **Appendix 10**.

The dwellings in Precinct 1 are to comprise:

- thirty-six (36) x two (2) storey town house styled dwellings consisting of:
  - 5 x 2-bedroom dwellings
  - 18 x 3-bedroom dwellings;
  - 13 x 4-bedroom dwellings; and
- twenty-six (26) apartments consisting of:
  - 21 x 2-bedroom apartments;
  - 5 x 3-bedroom apartments.

An analysis of building height and floor space ratio of the development proposed in the Precincts is as follows.

Precinct	Building Height	Floor Space Ratio
1	2-6 storeys	1.35:1
2	2-3 storeys	1.4:1
3	3-6 storeys	2.9:1

The floor area of the town house styled dwellings is to range between 90m<sup>2</sup> and 138m<sup>2</sup>, while apartments are to range between 85m<sup>2</sup> and 127m<sup>2</sup>.

Fifty-seven (57) of the dwellings have been designed to be adaptable for use by people with a disability in accordance with *Australian Standard AS 4299 - 1995 - Adaptable Housing*, representing 92% of the total number of dwellings proposed.

The extent of student housing proposed provides the critical mass of accommodation which makes the housing economically viable to establish.

One hundred and fifty-four (154) bedrooms of student accommodation are to be established in forty-two (42) units in Precinct 3 comprising:

- 14 x 2-bedroom dwellings;
- 21 x 4-bedroom dwellings; and
- 7 x 6-bedroom dwellings.

These units are to be self-contained in terms of cooking, bathroom and living room facilities and the only common facilities for students are shown on Drawing No.3DA100D and involve:

- a meeting room/lounge used for management functions and meetings at the ground floor level; and
- laundry and ironing facilities at the ground floor mezzanine level.

In addition, a 1 x 1-bedroom studio dwelling is to be provided at the ground floor mezzanine level to accommodate a manager of the student accommodation.

The housing is to be available to both indigenous and non-indigenous students and is to be managed and operated by the *AHC*.

Three (3) of the student accommodation units have been designed to be adaptable.

Lifts are to facilitate a vertical connection:

- to all of the floors in the apartment section of the building in Precinct 1, including the basement car parking area; and
- to the student housing and retail/commercial space in the building in Precinct 3.

The child care centre is to be constructed and operated in accordance with the requirements of the *Department of Community Services*.

A car park accommodating a total of one hundred and fifteen (115) spaces in a basement level under the building in Precinct 1 is to be established, including ten (10) spaces capable of being used by people with a disability.

Facilities for bicycle parking are indicated on Plan No.1DA091 and 1DA100.

A cycle route on road - low to medium traffic is to be established through the site connecting Lawson and Abercrombie Streets via Eveleigh, Caroline, Louis and Vine Streets to promote and facilitate bicycle use by local residents and the workforce in this area.

Vehicular access to the car park is to be from Vine Street, with the underlying strategy of encouraging vehicles using the car park to enter and leave the area via the Vine Street/Abercrombie Street intersection.

It is proposed to implement the following roadworks to facilitate access to and from the project:

- the enlargement of the pedestrian refuge in Lawson Street, east of Eveleigh Street, in conjunction with a threshold treatment along the length of the refuge designed to enhance pedestrian access between Eveleigh Street and the Railway Station and to provide a right-turn bay for westbound traffic into Eveleigh Street; and
- the relocation of the roundabout at the intersection of Vine and Abercrombie Streets.

Details of these works are indicated in the Transport and Accessibility Impact Statement prepared by John Coady Consulting Pty Ltd contained in **Appendix 13**.

The eastern end of Caroline Lane is to be re-aligned through the land to maintain public access from Abercrombie Street to Caroline Street.

The existing shared zone at the southern end of Eveleigh Street will be retained and reinforced by the development and an outdoor meeting place, *Pemulwuy*, is to be established in this area, extending into Caroline Street, to provide a focal point for the development.

This area has been designed to provide a high standard of pedestrian amenity and safety on the internal road system.

The gallery is to be used as the anchor to complement the meeting place.

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

The redevelopment is based on the local *ATSI* community achieving the primary goals of:

- creating a meeting place, *Pemulwuy*, for both for the *ATSI* and wider community;
- a seamless integration of the development into the surrounding community;
- achieving an economically viable development that can generate an ongoing income to finance affordable residential accommodation and other facilities for the local *ATSI* community;
- upgrading the quantity and quality of the public domain in the area by opening it up to the south-east from Redfern Railway Station and establishing active and vital street frontages;
- facilitating a more pedestrian-oriented and pedestrian-friendly environment along surrounding streets; and
- enhancing safety and security by the casual surveillance to be provided from the active street frontages and the various uses of the buildings and the lighting systems to be installed.

Public domain improvements are to include:

- the establishment of a unique urban identity through the application of the *Pemulwuy* graphic, materials, cultural interpretive elements and plant selections to reinforce the shared pedestrian/vehicle zone in Eveleigh Street between Lawson and Caroline Streets and the substantial public open space areas proposed in Precincts 2 and 3;
- upgraded streetscapes, including new pavements, tree planting and improved street lighting, in Eveleigh, Caroline, Louis and Vine Streets;
- integration of cultural interpretation elements with the architecture and public domain;
- provision of a publicly accessible paved forecourt in Precinct 1 fronting Caroline and Louis Streets;
- a proposed “land bridge” connection over a portion of the Railway Corridor to provide improved physical and visual integration of the development with the surrounding community, Redfern Railway Station and Lawson Street; and
- application of crime prevention through environmental design principles in the design of the public domain to optimise public safety.

A copy of the public domain and landscape report and plans prepared for the project by SCAPE, Landscape Architects, is contained in **Appendix 11**.

The landscape plans relating to development in Precinct 1 are to modify the approved Landscape Masterplan Design Principles shown on Drawing No.C.A.13 prepared by Julie Cracknell Peter Longergan Architects to accommodate the modified development plans for this Precinct.

The public domain plans will maintain the native street planting scheme contained in the approved plans in accordance with *SCC's Street Tree Masterplan 2011*.

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

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

Loading facilities and garbage storage facilities are to be provided in each of the buildings.

Details of the materials and finishes to be used in the construction of the external facade of the buildings are to be submitted with the application.

The waste storage areas have been designed to satisfy the waste storage and recycling requirements of the three (3) Precincts.

The proposal will:

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

The construction of the project is to be carried out as a whole and is not to be staged.

### 3.2 Comparison with Approved Concept Plan

A comparison between Concept Plan approved on 30 June 2009 and the modified Concept Plan is as follows.

Precinct	Element	Concept Plan Approved 30 June 2009	Modified Concept Plan
Overall	Total GFA:	15,500m <sup>2</sup>	17,365m <sup>2</sup>
	Retail/Commercial GFA:	7,250m <sup>2</sup>	2,655m <sup>2</sup>
	Residential GFA:	6,200m <sup>2</sup>	12,725m <sup>2</sup>
	Cultural/Community GFA:	2,050m <sup>2</sup>	1,985m <sup>2</sup>
	Public Open Space:	500m <sup>2</sup>	700m <sup>2</sup>
	1-11 Vine Street – Community Re-use	Yes	No. Facility relocated to Yanga, Cope Street, Redfern
	Number of Car Spaces:	71 spaces	115 spaces
	Staging	Precinct 1 – Precinct 2 – Precinct 3	Nil
1	Residential	62 dwellings	62 dwellings
	Community	Gymnasium/Fitness Centre Elders Community Cultural Centre	905m <sup>2</sup> - Gymnasium/Fitness Centre
	Private and public open space	Yes	Yes
	Retail/Commercial	No	340m <sup>2</sup>
2	Retail/Commercial	Yes	1,215m <sup>2</sup>
	Community	Health & Respite Centre AHC Offices	240m <sup>2</sup> - AHC Offices 365m <sup>2</sup> - Child Care Centre
	Private and public open space	Yes	Yes
	Residential	No	No
3	Retail/Commercial	Yes	1,215m <sup>2</sup>
	Community	Yes	475m <sup>2</sup> - Gallery
	Private and public open space	Yes	Yes
	Residential	No	5,385m <sup>2</sup> - 154 bed - Student housing

A comparison between the approved and modified Concept Plans in terms of the building height, as measured in storeys, and floor space ratio is as follows.

Precinct	Concept Plan Approved 30/6/2009			Modification Concept Plan		
	Building Height in Storeys	Floor Space Ratio		Building Height in Storeys	Floor Space Ratio	
		Maximum	Maximum Residential		Maximum	Maximum Residential
1	2 to 4	0.95:1	0.92:1	2 to 6	1.35:1	1.2:1
2	3	2.25:1	Nil	2 to 3	1.4:1	Nil
3	3	2.55:1	Nil	3 to 6	2.9:1	2.3:1

The overall gross floor area of the buildings is to increase by some 1,865m<sup>2</sup> from the approved Concept Plan to the modified Plan.

This represents an increase of 12%.

The residential development in Precinct 1 maintains the same number of dwellings approved in the Concept Plan Approval.

However, a review of the design of those dwellings has resulted in a greater gross floor area being required to accommodate the needs of the local *ATSI* community.

A significant proportion of the increased gross floor area in the overall development is to occur as a result of development in Precinct 3 and the inclusion of the student housing.

The rationalisation of the facilities to be provided in the development is founded on changes that have occurred since the original Concept Plan was formulated in 2006, such as the relocation of some of the proposed facilities, and the social plan that has now been prepared by the *AHC*.

The most significant modification related to increasing the bias to more residential development, particularly in relation to the incorporation of the student housing element into the development at the expense of commercial office space.

Residential development generally results in:

- a reduction in building height and bulk resulting from the lower floor to floor heights associated with residential development when compared to commercial office space; and
- a reduction in traffic generated to the area by residential use when compared to commercial uses.

### **3.3 Statement of Commitments**

A Statement of Commitments associated with the project is contained in **Appendix 2**.



## **4.0 Consultation**

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

The public authorities that have been consulted include:

- *DPI*;
- *RWA*;
- *SCC*;
- Ministry of Transport;
- RailCorp Property;
- *Roads and Traffic Authority of NSW (RTA)*;
- Sydney Water Corporation;
- EnergyAustralia; and
- NSW Police Department.

A community information event was held for key stakeholder groups, owners and tenants between 6.30pm and 8.30pm on Tuesday, 22 November 2011, at Redfern Community Centre, 29-53 Hugo Street, Redfern.

The invitation to the relevant stakeholders was arranged by *SCC* and included:

- owners/tenants;
- local Councillors;
- State and Local Government stakeholders;
- Local Members of Parliament;
- local businesses; and
- members of the indigenous community.

The consultation process was conducted by Scott Carver Pty Ltd and the report on consultation and subsequent outcomes is contained in **Appendix 12**.

## 5.0 Environmental Planning Instruments

### 5.1 Major Development SEPP

#### 5.1.1 Zoning

The prevailing environmental planning instrument controlling development on this land is the *Major Development SEPP*.

The *Policy* was made on 25 May 2005 and was most recently amended on 1 October 2011.

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

- to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State; and
- to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

The land is within the *RWA* area identified on Map 3 in Schedule 3 - State Significant Sites of the *Policy* and is subject to the development control measures contained in Part 5 of Schedule 3.

Clause 9A(1) and Schedule 6 of the *Policy* provide that the *Minister* is the consent authority for development in the *RWA* area generally and on this site in particular.

The *Minister* has delegated the *DPI* and the *Planning Assessment Commission (PAC)* the authority to determine applications for State Significant Developments.

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

The *RWA Sites Zoning Map* referred to in Clause 7(1) of Part 5 in Schedule 3 indicates that the land is within the Business - Mixed Use zone.

The proposal represents development for the purposes of “business premises”, “child care centre”, “community facility”, “information and education facility”, “office premises”, “residential accommodation”, “recreation facility (indoor)” and/or “retail premises” under the definitions contained in the *Standard Instrument (Local Environmental Plans) Order 2006* adopted by Clause 2(1) of Part 5 in Schedule 3.

Development for these purposes is permissible, with consent, within the Business - Mixed Use zone under the terms of Clauses 10(2) and (3) in Part 5 of Schedule 3.

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

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

**Zone Objective**

To support the development of sustainable communities with a mix of employment, educational, cultural and residential opportunities

To encourage employment generating activities by providing a range of office, business, educational, cultural and community activities in the Zone

To permit residential development that is compatible with non-residential development

To maximise public transport patronage and encourage walking and cycling

To ensure the vitality and safety of the community and public domain

To ensure buildings achieve design excellence

To promote landscaped areas with strong visual and aesthetic values to enhance the amenity of the area

**Proposal's Response**

The proposal will:

- provide an appropriate mix of employment, educational, cultural and residential opportunities; and
- provide a catalyst for further development, renewal and revitalisation in the Redfern-Waterloo area

The proposal will provide employment generating activities by virtue of the proposed retail/commercial facilities and community facilities. It will also generate retail and service employment opportunities associated with the demand created by the proposed apartments, town houses and student accommodation

The proposed residential development is to be compatible with other non-residential uses proposed in the buildings and in the area generally. The character of the proposal is consistent with contemporary town planning principles and practice relating to mixed-use development adjacent to town centres and major public transport nodes

The proposal is located adjacent to major public transport services in terms of Redfern Railway Station and bus routes using Regent, Gibbons, Lawson, Abercrombie and Cleveland Streets. The nature and extent of the development will increase the potential patronage of these services. The site is conveniently located to the Redfern Town Centre and people are expected to walk and/or cycle to the services and facilities provided in the Town Centre. Provision has been made for ample on-site bicycle parking and storage in the proposed buildings. The public domain improvements include the construction of footpaths and part of a cycle path connecting Lawson and Abercrombie Streets

The proposal will enhance vitality at street level by virtue of the active retail/commercial/community frontages proposed along Lawson Street and parts of Eveleigh and Caroline Streets. Improvements proposed to the public domain and the casual surveillance to be available from the various uses to be conducted on the land will optimise safety in the public domain. See also Section 7.2.2

The buildings have been designed to achieve excellence in their design, responding to the opportunities and constraints offered by the site and its setting. See Section 7.1

The public domain areas surrounding the site are to be improved in accordance with the report and plans prepared by SCAPE, Landscape Architects, to significantly enhance the visual setting of the area. See **Appendix 11**

The proposal is, therefore:

- consistent with the objectives of the Business - Mixed Use zone contained in Clause 9(1) in Part 5 of Schedule 3; and
- permissible with the consent of the *Minister*.

### 5.1.2 Provisions of the Policy

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

#### Provisions of Part 5 of Schedule 3 of the Major Development SEPP

Clause	Consideration	Proposed	Compliance
2(1)	Interpretation - Land Use	The proposal represents development for the purposes of “business premises”, “child care centre”, “community facility”, “information and education facility”, “office premises”, “residential accommodation”, “recreation facility (indoor)” and/or “retail premises” under the definitions adopted by Clause 2(1)	✓
7(1)	Zoning	The land is situated within the Business - Mixed Use zone as shown on the <i>RWA Sites Zoning Map</i>	✓
7(2) and 9(1)	The objectives of the Business - Mixed Use zone	The proposal is consistent with the objectives of the Business - Mixed Use zone. See Section 5.1.1	✓
9(2) and (3)	Land Use Controls - Business - Mixed Use zone	Development for the purposes of “business premises”, “child care centre”, “community facility”, “information and education facility”, “office premises”, “residential accommodation”, “recreation facility (indoor)” and “retail premises” is permissible, with the <i>Minister’s</i> consent, in the Business - Mixed Use zone	✓
20(1)	Subdivision requires consent	The proposal is to involve the strata subdivision of the development in Precinct 1 upon its completion. Clause 20(3) provides that consent is not required for subdivision under the <i>Strata Schemes (Freehold Development) Act 1973</i>	✓
21(1)	Buildings are not to exceed the maximum building height shown on the <i>RWA Sites Height Map</i> , which in this case is:		
	Precinct 1:	3 storeys	Not applicable to this application. See Clause 21(3) ✓
	Precinct 2:	3 storeys	
	Precinct 3:	5 storeys	

**Provisions of Part 5 of Schedule 3 of the Major Development SEPP**

Clause	Consideration	Proposed	Compliance												
21(2)	Buildings are not to exceed the maximum floor space ratio shown on the <i>RWA Sites Floor Space Ratio Map</i> , which in this case is: <table><tr><td></td><td><u>Total</u></td><td><u>Residential</u></td></tr><tr><td>Precinct 1:</td><td>1.5:1</td><td>0.75:1</td></tr><tr><td>Precinct 2:</td><td>1.5:1</td><td>0.75:1</td></tr><tr><td>Precinct 3:</td><td>2:1</td><td>1:1</td></tr></table>		<u>Total</u>	<u>Residential</u>	Precinct 1:	1.5:1	0.75:1	Precinct 2:	1.5:1	0.75:1	Precinct 3:	2:1	1:1	Not applicable to this application. See Clause 21(3)	✓
	<u>Total</u>	<u>Residential</u>													
Precinct 1:	1.5:1	0.75:1													
Precinct 2:	1.5:1	0.75:1													
Precinct 3:	2:1	1:1													
21(3)	The building height and floor space ratio standards imposed by Clauses 21(1) and (2) only apply where a concept plan has not been approved for the construction of buildings exceeding those standards	The building height and floor space ratio of the development in Precincts 1, 2 and 3 complies with Concept Plan Approval No.06_0101, as modified	✓												
22(1)	Consent is not to be granted unless consideration has been given as to whether the development exhibits design excellence	The buildings have been designed to achieve excellence in their design, responding to the opportunities and constraints offered by the site and its setting. See Section 7.1	✓												
22(2)	Considerations of design excellence are to include: <ul style="list-style-type: none"><li>• whether a high standard of architectural design, materials and detailing appropriate to the building type and location are achieved;</li><li>• whether the form and external appearance of the building will improve the quality and amenity of the public domain; and</li><li>• whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency</li></ul>	<p>The buildings have been designed to achieve excellence in their design, responding to the opportunities and constraints offered by the site and its setting by:</p> <ul style="list-style-type: none"><li>• creating a high standard architecture in terms of the buildings' vertical and horizontal articulation and modulation, form and detailing;</li><li>• using a palette of materials and colours to create an interesting and attractive built form element in the streetscapes in this area; and</li><li>• incorporating best-practice ecologically sustainable design features.</li></ul> <p>The quality and amenity of public domain areas surrounding the site are to be improved in accordance with the report and plans prepared by SCAPE, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 11</b>.</p> <p>As a result, the proposal will significantly improve the amenity of this area as viewed from the public domain and provide a catalyst and stimulus for the ongoing renewal and revitalisation of this area in the manner contemplated by the <i>Major Development SEPP</i>.</p> <p>See also Section 7.1</p>	✓												

**Provisions of Part 5 of Schedule 3 of the Major Development SEPP**

<b>Clause</b>	<b>Consideration</b>	<b>Proposed</b>	<b>Compliance</b>
22(3)	A design competition may be required for any development over 12 storeys	A design competition is not required in respect to the proposed development	✓
27(1)	Consent is required for development associated with a heritage item	None of the existing buildings on the land have been identified as a heritage item under the terms of the <i>Policy</i>	✓
28(3)	Consent is required for the lopping or removal of any trees or vegetation	This application seeks approval to remove the trees and vegetation required to facilitate the construction of the development	✓

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

## 5.2 Other State Environmental Planning Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

See **Appendices 16, 19 and 20**

The reports indicate:

- that provided the recommendations made in the geotechnical report are followed and care is taken during construction works, there is little likelihood that the excavation proposed will have any significant effect on the railway infrastructure;
- the building in Precinct 3, i.e. adjacent to the Railway Corridor, is to be supported on piers founded below the level of the adjacent railway to ensure that no additional loading will be applied to the adjoining railway retaining wall;
- borehole investigations demonstrate that the rock at the proposed founding level is of sufficient capacity to support these piers and construction should have little effect on the retaining wall;
- there is no obvious reason why the *Project* will have any significant adverse effect on the adjacent railway infrastructure; and
- the criteria for construction and foundation works to be incorporated into the detailed structural design to be submitted with the application for a Construction Certificate.

Discussions with officers from NSW Transport concerning the Proposed Western Express Rail Project indicated that the proposed railway alignment will have no impact on the construction of the *PP*. See details of these discussions and meetings in **Appendix 20**.

The proposal is not expected to have any significant effect on the safety or structural integrity of existing or proposed rail infrastructure or the safe and effective operation of that infrastructure and appropriate measures can be taken to avoid or minimise potential effects.

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

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

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

A noise and vibration assessment has been prepared by Koikas Acoustics Pty Ltd and a copy of the assessment is contained in **Appendix 14**.

The assessment is summarised in Section 5.2.1.3 in this assessment.

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



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

None of the streets to which the development has frontage is a “classified road” under the terms of the *Infrastructure SEPP* and, consequently, Clause 101 does not apply to this application.

Clause 102 of the *Policy* applies to development for the purposes of residential and a child care centre on land in, or adjacent to, any road with an annual average daily traffic volume of more than 40,000 vehicles that is likely to be adversely affected by road noise or vibration.

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

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

A noise and vibration assessment has been prepared by Koikas Acoustics Pty Ltd and a copy of the assessment is contained in **Appendix 14**.

The assessment is summarised in Section 5.2.1.3 in this assessment.

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

Clause 104(3) of the *Policy* requires applications for development of a specified scale to be notified to the *RTA*.

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

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

A Transport and Accessibility Impact Assessment of the proposal has been prepared by John Coady Consulting Pty Ltd.

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

The assessment indicates that:

- the land enjoys one of the highest levels of public transport accessibility of any location in the Sydney Metropolitan Area, highlighting the extensive bus and train services that are available;
- the land enjoys convenient access to one of *SCC's* designated bicycle routes which runs along Lawson Street past the site;
- the proposed one hundred and fifteen (115) car spaces are adequate in the context of:
  - the availability and level of service of public transport services;
  - the availability of on-street car parking;
  - the degree of local patronage of the facilities to be established; and
  - projected parking demand;
- the total weekday AM and PM peak period traffic generation potential of the development is expected to be 150 vehicle trips/hour during the AM peak period and 160 vehicle trips/hour during the PM peak period;
- a SIDRA analysis of the operating performance of the Vine Street/Abercrombie Street and the Lawson Street/Eveleigh Street intersections during the weekday AM and PM peak periods under projected post-development demand reveals that both intersections will perform satisfactorily under post-development traffic demand;
- projected post-development traffic demand does not exceed the *RTA's* environment goal on any street; and
- the existing and projected post-development traffic flows in Caroline Lane and on Caroline Street are relatively minor such that the new configuration of the eastern end of Caroline Lane following its closure will have no unacceptable traffic implications.

The assessment provides generic home and workplace travel plans to be used in connection with the proposed development.

The assessment concludes that the development will have no unacceptable:

- parking implications;
- traffic effects in terms of road network capacity; or
- traffic-related environmental effects.

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

An acoustic assessment of the proposal has been prepared by Koikas Associates Pty Ltd.

A copy of the assessment is contained in **Appendix 14**

The assessment provides recommendations and specifications to address issues relating to:

- construction noise and vibration;
- road and railway noise;
- the child care centre;
- noise associated with mechanical plant and equipment used on-site;
- the gallery; and
- noise isolation of dwellings in the development.

The assessment indicates that:

- attended vibration level measurements were taken for numerous train pass-by;
- on account of the low speed that trains traverse adjacent to the subject development, ground induced vibration levels were almost insignificant and less than perceptible with the palm of the hand on the ground;
- this is indicative of rail noise measurements being less than 2 mm/s, which is the threshold of feel on the palm of the hand from vibration; and
- as these levels are barely perceptible, no special vibration isolation mounts or pads are required for the proposed new buildings adjacent to the rail corridor.

The assessment concludes that provided its recommendations are faithfully implemented into the building design, all acoustic issues can be adequately addressed and the development is supported from an acoustic perspective.

### **5.2.1.4 Summary**

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

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

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

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

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

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

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

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

Principle	Response
<p><b>Principle 4: Density</b></p> <p>Good design has a density appropriate for the site and its context in terms of floor space yield and densities are to be sustainable and consistent with existing density or stated desired future density in an area undergoing change.</p> <p>Sustainable densities respond to:</p> <ul style="list-style-type: none"> <li>• regional context;</li> <li>• availability of infrastructure;</li> <li>• public transport;</li> <li>• community facilities; and</li> <li>• environmental quality</li> </ul>	<p>The proposed density of the development responds to:</p> <ul style="list-style-type: none"> <li>• the desire to increase development densities in this locality to create vitality and encourage the use of public transport;</li> <li>• the availability of the required utility infrastructure to support the development;</li> <li>• the site's convenient location relative to public transport facilities, shopping, service and community facilities; and</li> <li>• the environmental quality of this locality</li> </ul>
<p><b>Principle 5: Resource, energy and water efficiency</b></p> <p>Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction, and involves consideration of recycling and selection of appropriate materials, passive solar design, energy efficient appliances, soil zones for vegetation and reuse of water</p>	<p>The proposal will embrace best practice for resource conservation in the construction of the building.</p> <p>The design optimises solar access, through flow ventilation and the extent of open space on the site.</p> <p>The development is to incorporate ecologically sustainable design features in accordance with contemporary building design practice</p>
<p><b>Principle 6: Landscape</b></p> <p>Good design recognises that landscape and buildings operate as an integrated and sustainable system resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.</p> <p>Landscape design:</p> <ul style="list-style-type: none"> <li>• builds on the site's existing features;</li> <li>• enhances the development's natural environmental performance in terms of water and soil management, solar access, micro-climate, tree canopy and habitat values;</li> <li>• contributes to a positive image and contextual fit of development;</li> <li>• optimises useability, privacy and social opportunity and equitable access;</li> <li>• respects neighbours' amenity; and</li> <li>• provides for practical establishment and long term management</li> </ul>	<p>The public domain areas surrounding the site are to be improved in accordance with the report and plans prepared by SCAPE, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 11</b>.</p> <p>A landscape plan prepared by SCAPE of private domain areas is to accompany the application.</p> <p>The proposed landscape design is commensurate with the site's location in the <i>RWA Sites</i> and its setting</p>

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

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

A design verification statement, prepared by the Project Architect, is contained in **Appendix 8**.

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

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

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

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

The overriding aims of this *Policy* are:

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

A BASIX assessment of the development proposed in Precincts 1 and 3, prepared by Windtech Consultants Pty Ltd, is contained in **Appendix 21** specifying the commitments to be made to achieve these outcomes.

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

## 5.2.4 State Environmental Planning Policy No.55 - Remediation

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

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

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

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

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

A Materials Characterisation Report of the land has been prepared by SMEC Testing Services Pty Ltd.

A copy of the assessment is contained in **Appendix 15**.

The report indicates that based on site observations and testing of soil samples:

- the samples of the natural soils tested were found to have levels of environmental constituents that fall below the National Environment Protection Council and Department of Environment & Climate Change endorsed soil investigation levels for standard residential sites;
- in situ natural soils on the site consist of material that meets the criteria to be characterised as virgin excavation natural material as defined under the *Protection of the Environment Operations Act 1997*; and
- the fill material tested may be classified as general solid waste (non-putrescible).

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



## 6.0 Development Strategies & Policies

### 6.1 Metropolitan Plan for Sydney 2036

*Metropolitan Plan for Sydney 2036 (Metro Plan)* was published by the *DPI* in December 2010 and provides a vision for the development of Sydney by 2036.

The following strategic directions and key policy settings in the *Metro Plan* are relevant to the proposed development.

Strategic Direction	Key Policy Settings
Strengthening a city of cities	<ul style="list-style-type: none"> <li>• Make Sydney a more resilient, compact, connected, multi-centred and networked city</li> <li>• Strengthen Sydney's role as a globally competitive city</li> </ul>
Growing and renewing centres	<ul style="list-style-type: none"> <li>• Locate at least 80% of all new homes within the walking catchments of existing and planned centres of all sizes with good public transport</li> <li>• Focus activity in accessible centres</li> <li>• Plan for centres to grow and change over time</li> <li>• Plan for urban renewal in identified centres</li> </ul>
Growing Sydney's economy	<ul style="list-style-type: none"> <li>• Increase the proportion of homes within 30 minutes by public transport of jobs in a Major Centre, ensuring more jobs are located closer to home</li> </ul>
Tackling climate change and protecting Sydney's natural environment	<ul style="list-style-type: none"> <li>• Review the scope and stringency of BASIX</li> </ul>
Transport for a connected city	<ul style="list-style-type: none"> <li>• Target development around existing and planned transport capacity</li> <li>• Improve local opportunities for walking, cycling and using public transport</li> </ul>
Housing Sydney's population	<ul style="list-style-type: none"> <li>• Plan for 770,000 additional homes with a range of housing types, sizes and affordability levels for a growing and aging population</li> <li>• Locate at least 70% of new homes in existing suburbs</li> <li>• Drive delivery through subregional targets</li> </ul>
Achieving equity, liveability & social inclusion	<ul style="list-style-type: none"> <li>• Consider the social impacts in planning and assessment</li> <li>• Strengthen the State's lead on best practice urban renewal for improved liveability</li> </ul>
Balancing land uses on the city fringe	<ul style="list-style-type: none"> <li>• Contain Sydney's urban footprint by focusing greenfield development in the North West and South West Growth Centres</li> </ul>
Delivering the Plan	<ul style="list-style-type: none"> <li>• Establish new mechanisms to achieve urban renewal</li> <li>• Drive implementation through subregional strategies</li> </ul>

The proposal is strongly consistent with these strategic directions and key policy settings.

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

The land is located in the Sydney City subregion under the *Metro Plan* and a detailed draft *Sydney City Subregional Strategy* (draft *Strategy*) was publicly exhibited until 5 September 2008.

The draft *Strategy*:

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

The key directions of the draft *Strategy* are:

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

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

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

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

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

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

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

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

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

## 6.2 Guidelines for Walking & Cycling

*NSW Planning Guidelines for Cycling & Walking, December 2004 (Guidelines)* and the *NSW Bike Plan 2010 (Bike Plan)* have been published by the NSW Government.

Relevantly, the *Guidelines* are:

- aimed at assisting land-use planners and related professionals to improve consideration of walking and cycling for home to work trips and to create more opportunities for people to live in places within easy walking and cycling access to urban services and public transport; and
- designed to provide a walking and cycling focus to the NSW Government's *Integrating Land Use & Transport Planning Policy* and to create a sustainable city which is equitable, liveable, cost-effective, healthy, environmentally sound and safe.

The *Guidelines* are largely designed for use by policymakers developing metropolitan strategies, master plans, local environment plans, development control plans and development contributions plans to achieve its aims.

The *Bike Plan* is aimed at encouraging bike-riding by:

- creating connecting cycling networks;
- making bike-riding safe;
- planning cycling-friendly neighbourhoods;
- growing jobs in cycling; and
- getting organisations working together to support bike-riding.

The focus of the *Plan* is to construct missing links in the bike-riding network and delivery of cycleways as an integrated component of major road upgrades.

There are no elements of the *Bike Plan* action plan relating to development in this area.

However, the proposal is strongly consistent with the principles espoused in both the *Guidelines* and the *Bike Plan* in that it will establish:

- residential, commercial and community facilities in close proximity to the major public transport facilities in this area and the Redfern Town Centre and will thereby promote walking and cycling as a primary method of transport; and
- a cycleway which connects Lawson Street to Abercrombie Street via Eveleigh, Caroline, Louis and Vine Streets.

In this way, the proposal is consistent with and meets the objectives of the *Guidelines* and the *Bike Plan*.

## 6.3 Metropolitan Transport Plan

The *Metropolitan Transport Plan (Transport Plan)* is an integral part of the *Metropolitan Plan for Sydney 2036*.

The *Transport Plan* relates to a package of transport infrastructure improvements for the metropolitan area which include:

- the extension of rail and bus networks;
- improvements to the integration of public transport;
- a road improvements program;
- improving local and regional walking and cycling networks; and
- ensuring efficient port facilities and freight movement networks.

All of the works proposed over or adjacent to CityRail's Railway Corridor have been discussed with RailCorp.

The proposal:

- will not prejudice any element of the *Transport Plan*;
- will not have any adverse effect on adjacent railway infrastructure; and
- will be consistent with the elements of the *Plan* relating to walking and cycling networks, as outlined in Section 6.2 of this assessment.

## 6.4 Sustainable Sydney 2030

*Sustainable Sydney 2030* was prepared by the *SCC* and provides a framework for action based on the following ten (10) strategic directions:

- a globally competitive and innovative city
- a leading environmental performer
- integrated transport for a connected city
- a city for pedestrians and cyclists
- a lively, engaging city centre
- vibrant local communities and economies
- a cultural and creative city
- housing for a diverse population
- sustainable renewal and design
- implementation through effective governance and partnership

There are a number of objectives and actions underlying these strategic directions.

The proposal is consistent with these strategic directions, objectives and actions in terms of:

- increasing development densities around the activity hub in Redfern focused around the Railway Station and other trunk transport service facilities;
- managing travel demand by optimising car parking provision in the development;
- establishing a bikeway connecting Lawson and Abercrombie Streets via Eveleigh, Caroline, Louis and Vine Streets;
- accommodating the appreciation and development of *ATSI* cultural heritage and its contemporary expression;
- increasing the quality and diversity of housing and available housing choice;
- increasing the affordable housing stock available to the local *ATSI* community on a not-for profit basis; and
- significantly increasing and enhancing the public domain in this area by improving streets, squares and open spaces and integrating the area into the wider Redfern community.

The proposal is, therefore, consistent with and achieves the outcomes sought by *Sustainable Sydney 2030*.

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

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

*BEP 1* was prepared following an extensive consultation program with the local community and key stakeholders and is designed:

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

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

*BEP 1* is predicated on facilitating:

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

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

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

The site is located within Strategic Site D - Eveleigh Street, which involves land to the north of Redfern Railway station and west of CityRail's Railway Corridor between Lawson and Cleveland Streets.

A summary assessment of the proposal in terms of the strategies, land use and design concepts for strategic sites contained in Parts 3 and 4 of *BEP 1* is as follows.

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

<b>Part</b>	<b>Consideration</b>	<b>Proposed</b>	<b>Compliance</b>
3.1	<b>Land Use Strategy:</b>	The proposal is consistent with the strategies of: <ul style="list-style-type: none"><li>• creating the greatest concentration of development density around the Railway Station in terms of built form, use and activity;</li><li>• improving the public domain and linkages through the area by virtue of the public domain improvements inherent in this proposal;</li><li>• providing affordable housing and increasing housing provision and choice;</li><li>• facilitating community and cultural development</li></ul>	✓
	<b>Land Use Zoning:</b> The land is within the Business - Mixed Use zone	This zoning reflects the zoning of the land under Part 5 of Schedule 3 of the <i>Major Development SEPP</i> .  Issues relating to this zoning are addressed in detail in Section 5.1 of this assessment	✓

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

Part	Consideration	Proposed	Compliance
3.5	<b>Heritage Strategy:</b> The Redfern Station Booking Office has been identified as a heritage item	Heritage issues associated with the land have been addressed in the reports prepared by Noel Bell Ridley Smith & Partners Pty Ltd.  Copies of these reports are contained in <b>Appendices 27</b> and <b>28</b> and their conclusions are summarised in Section 7.2.3.  It would suffice to say that the proposal will not have any adverse effect on any heritage items on the land or in its vicinity	✓
3.6	<b>Transport Strategy:</b> Traffic generated by new development is to be satisfactorily managed	A Transport and Accessibility Impact Assessment has been prepared by John Coady Consulting Pty Ltd.  A copy of the assessment is contained in <b>Appendix 13</b> and the assessment is summarised in Section 5.2.1.2	✓
	The provision of bicycle facilities/storage is to be encouraged in new developments	Provision has been made for ample on-site bicycle parking and storage in the proposed buildings	✓
3.7	<b>Ecologically Sustainable Development:</b> Energy efficiency, reduction in greenhouse gas emissions, water sensitive design, waste minimisation and BASIX considerations	A BASIX Assessment of the residential development in Precincts 1 and 3, prepared by Windtech Consultants Pty Ltd, is contained in <b>Appendix 21</b>	✓
4.4	<b>Land Use and Design Concepts:</b> <b>Land Use Concepts</b> The establishment of a vibrant, sustainable business and residential community, providing opportunities for Aboriginal enterprise, housing (including culturally appropriate housing) and community and cultural facilities	The proposed development is primarily based on achieving this land use concept	✓
	<b>Proposed Design Concepts:</b> Reinforcing the significance of Redfern as a meeting place and centre for Aboriginal activism	The proposal has been designed to reinforce Redfern as a meeting place and integrate it into the new urban form of Redfern	✓
	Enhancing employment uses and the mixed use character of the area	The proposal will establish an appropriate mix of residential, retail/commercial, community and cultural development	✓
	Facilitating the development of quality housing	The proposal will contribute to the provision of quality housing both for the local <i>ATS/</i> community and for the proposed student accommodation	✓



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

Part	Consideration	Proposed	Compliance
	Respecting the existing residential and industrial character and built form and providing an appropriate interface with surrounding development	The proposal will provide a satisfactory and appropriate interface with surrounding development	✓
	Increasing development height and density along the railway corridor to provide a buffer to the lower scale development to the west	The development proposed in Precinct 3 will buffer land to the west of Eveleigh Street from the Railway Corridor	✓
	Providing a safe, vibrant and cohesive community	The proposal has been designed to create a safe, vibrant and cohesive community	✓
	Providing and configuring open space	The open spaces are to be created and landscaped in accordance with the report and plans prepared by SCAPE, Landscape Architects, to significantly enhance the visual setting of the area. See <b>Appendix 11</b> .	✓

In summary, the development:

- will be consistent with:
  - the objectives of the *BEP 1*;
  - the current and proposed strategies, land use and design concepts contained in Parts 3 and 4 of the *BEP 1*; and
- achieves the urban design outcomes fostered and promoted by the *Plan*.

## 6.6 Development Control Plan No.11 - Transport Guidelines

*Development Control Plan No.11 - Transport Guidelines for Development (DCP 11)* was adopted by SCC on 8 May 1996.

The relevant objectives of *DCP 11*, as expressed in Part 1.2, are:

- to encourage a reduction in the level of vehicular traffic in South Sydney by, inter alia, reducing parking requirements;
- to ensure that an acceptable level of parking is provided on-site to minimise the unreasonable overflow of parking onto surrounding roads; and
- to ensure that all modes of transport are adequately considered for new developments.

*DCP 11* proposes a new, less car focussed approach to transport issues in accordance with Council's *Strategy for a Sustainable City of South Sydney*.

The parking rates in the *Plan* are designed:

- to offer a balanced compromise to satisfy a large proportion of the parking demand on-site;
- to address the car reduction objectives of Council's Strategy;
- to minimise the unreasonable overflow of parking into surrounding streets; and
- to not be blindly adhered to.

The *Plan* provides scope to consider parking issues in isolation or holistically and for parking provision to be flexible to suit particular circumstances and local conditions.

A Transport and Accessibility Impact Assessment prepared by John Coady Consulting Pty Ltd is contained in **Appendix 13**.

The assessment indicates:

- the extent of public transport services available in this area;
- the elements to be included in the development to promote and enhance facilities for pedestrians and cyclists;
- the application of parking rates contained in *DCP 11* to the development would yield a total requirement for two hundred and three (203) car parking spaces and seventy-five (75) bicycle spaces;
- the land enjoys one of the highest levels of public transport accessibility of any location in the Sydney Metropolitan Area, highlighting the extensive bus and train services that are available;
- the land enjoys convenient access to one of SCC's designated bicycle routes which runs along Lawson Street past the site; and
- the proposed one hundred and fifteen (115) car spaces are adequate in the context of:
  - the availability and level of service of public transport services;
  - the availability of on-street car parking;
  - the degree of local patronage of the facilities to be established; and
  - projected parking demand.

The assessment concludes that the development will have no unacceptable parking implications.

The proposal is to be consistent with the objectives and provisions of *DCP 11*.

## **6.7 Development near Rail Corridors and Busy Roads**

*Development near Rail Corridors and Busy Roads - Interim Guideline* was published by the *DPI* in 2008.

The aims of the *Guideline* are:

- to assist in reducing the health impacts of rail and road noise and adverse air quality on sensitive adjacent development; and
- to ensure development does not impact on the structural integrity of transport infrastructure and its engineered structures.

The *Guideline* is designed to support the provisions contained in the *Infrastructure SEPP*.

Part C of the *Guidelines* applies to the impact on development by:

- noise and vibration impacts associated with rail corridors and busy roads;
- air quality near busy roads;
- safety and design issues; and
- excavation, earthworks and other construction-related issues.

These matters have been addressed earlier in this assessment in Section 5.2.1 relating to the requirements of the *Infrastructure SEPP*.

It would suffice to say that the proposal is to be consistent with *Guidelines* relevant to this proposal.

## 6.8 Contribution Plans

### 6.8.1 Redfern-Waterloo Authority Contributions Plan 2006

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

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

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

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

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

A detailed cost report prepared in accordance with Schedule 3 of the *Plan* is contained in **Appendix 9** and indicates a development cost of some \$70million.

On this basis, the levy applicable to the proposed development is \$1.4million.

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

- Item 9 - improvements to footpaths, planting, lighting and street furniture (estimated cost \$100,000);
- Item 10 - traffic management and/or public domain works in the vicinity of the Town Centre or other *RWA* sites to improve pedestrian safety and amenity along streets and improve traffic circulation (estimated cost \$14.8million);
- Item 18 - general contribution to improvements to bicycle paths (estimated cost \$500,000); and
- Item 19 - new child care facility to service new residents and workers (estimated cost \$1.2 million).

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

In this regard, the development includes:

- extensive public domain improvement works, including the construction of the structure over the Railway Corridor.
- the establishment of traffic management facilities designed to improve pedestrian safety and amenity and improve traffic circulation;
- the provision of a cycle path through the area; and
- the construction of a sixty (60) place child care centre.

The detailed cost report, contained in **Appendix 9**, indicates that these works will have an estimated cost of \$11.2 million, comprising:

- Lawson Bridge Extension: \$6.3 million
- Pemulwuy Public Domain: \$3.5 million
- Caroline Lane Works: \$0.2 million
- Child Care Centre: \$1.2 million

In these circumstances, the levy should be waived in respect to the proposed development.

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

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

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

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

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

The development is to have a gross floor area of some 17,365m<sup>2</sup> and the required contribution is \$1,024,535.

Clause 12 of the *Plan* provides that where, in the *Minister's* opinion proposed development makes satisfactory arrangements for the provision of affordable housing, that contribution may be taken into consideration in determining the contribution required to be paid.

The principal purpose of the development is to provide sixty-two (62) units of affordable accommodation for the local *ATS/* community.

In this regard, the contribution should be waived.

## 7.0 Issues

### 7.1 Built Form and Urban Design

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

*“This project has been designed with a strong social agenda, to re-establish a viable and self-sufficient community, and to build an enduring bridge between it and the city.*

*The built environment has been arranged to accommodate this and to meet the needs of the local community.*

*Pemulwuy has been organised around a new public space which will link Lawson Street, Redfern Station and the existing community centre in Louis Street.*

*The lynchpin of this new space is the removal of the brick wall on the northern side of Lawson Street and the construction of expanded public domain over part of the rail corridor.*

*These changes will open up the precinct to rest of Redfern – they will eliminate the built elements that segregate the precinct from Redfern and in many ways from the rest of the city.*

*It is the AHC’s gesture of reconciliation and a vision of future coexistence and mutual appreciation.*

*At the heart of the project are 62 dwellings. They occupy the site where the AHC has always provided housing.*

*A variety of housing types are planned which include town houses and apartments.*

*The intention is that the housing will accommodate people at different stages in their lives, so that there will be the capacity for people to live in Pemulwuy their whole lives.*

*This continuity will lend Pemulwuy social cohesion.*

*The site to the east of the project will accommodate a residential college for students.*

*At street level there will be work spaces and offices and at the southern end of the site a gallery is planned.*

*The site to the west of the project will accommodate some retail space at ground level, two floors of offices and a child care centre.*

*A lot of thought has been given to the new meeting place at the centre of the project. It will work best if it is flanked by uses that will activate the space.*

*The focal points of the new meeting place are a new boxing gym, a gallery, retail shops and cafes.*

*Large showroom glazing is planned for the front of the gym so that its activities will be visible.*

*The gallery has been planned on the same principle.*

*The apartment building also addresses the meeting place so that there will always be signs of habitation and an engaged human presence.*

*The potential for the Pemulwuy meeting place as a location for public events is self evident, but it is what it is like from day to day that will make it a positive addition to the life of the city.*

*This end will be achieved by ensuring that the meeting place is constantly surrounded by life and activity.*

*The development has been designed as the first significant step in the urban renewal area west of the Redfern Railway Station."*

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

The buildings are to:

- be modulated and articulated, both horizontally and vertically, along their street elevations and use a palette of materials and colours to create an interesting and attractive built form element in the surrounding streetscapes;
- provide vibrance and vitality to the area by establishing active retail frontages;
- facilitate *Pemulwuy* as an important focus for community meetings and leisure and cultural pastimes;
- establish an attractive and comfortable environment for pedestrians by:
  - improving the public domain areas in the manner depicted in the report and plans prepared by SCAPE, Landscape Architects, contained in **Appendix 11**, to significantly enhance the visual setting of the area; and
  - having been designed to satisfactorily address pedestrian wind environment and solar light reflectivity issues associated with the proposed development in the manner outlined in the wind environment study and the solar light reflectivity analysis, prepared by Windtech Consultants Pty Ltd, copies of which are contained in **Appendices 22 and 23**;
- minimise car parking entries and eliminate blank walls;
- establish all car parking at a basement level under the building in Precinct 1, so that it will not be visible from the public domain; and
- incorporate best-practice ecologically sustainable design features.

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

- creating a high standard architectural design, form and detailing;
- significantly improving the amenity of the area and the public domain in particular; and
- achieving the urban design outcomes fostered and promoted by the *BEP 1*.

The proposal will provide a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Development SEPP* and set a desirable precedence for such redevelopment in terms of building design.

## **7.2 Environmental Considerations**

### **7.2.1 Ecologically Sustainable Development**

The buildings have been designed to accord with ecologically sustainable development best practice:

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

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

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

A BASIX assessment of the residential buildings in Precincts 1 and 3, prepared by Windtech Consultants Pty Ltd, is contained in **Appendix 21**.

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



### 7.2.2 Community Safety

The development has been designed:

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

In this regard, the proposal has been designed:

- to enhance vitality at street level by virtue of the active retail and commercial street frontages;
- to improve the public domain in accordance with the report and plans prepared by SCAPE, Landscape Architects, contained in **Appendix 11**, to significantly enhance the visual setting of the area; and
- to optimise safety and security both internally within the development and in the public domain by the casual surveillance to be available from the various uses and activities to be conducted on the site.

Opportunities for concealment have been minimised and glass façades used to maximise casual natural surveillance opportunities over the streets.

Graffiti-resistant paint is to be applied to external masonry finishes.

Appropriately designed lighting is to be established along streets and at building entry points.

Colours, lighting and access controls are to be used in the basement car parking area to maximise safety and security.

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

### 7.2.3 Heritage Considerations

Noel Bell Ridley Smith & Partners Pty Ltd have prepared:

- a heritage interpretation plan relating to the site; and
- a heritage assessment of the impact of the development on the Railway Corridor retaining wall to the east of the site.

Copies of the plan and the assessment are contained in **Appendices 27** and **28**.

The assessment report recommends that:

- the retaining wall should be retained and conserved because of its high heritage significance;
- the Eveleigh Street block wall, located adjacent to the retaining wall, has little heritage significance and there is potential for this wall to be removed;
- the northern wall and mural on the Lawson Street overbridge has moderate to little heritage significance and there is a potential to remove some of its sections;
- archival recordings should be undertaken to record all murals prior to any works being undertaken; and
- should any works be undertaken in close proximity to the retaining wall, all efforts must be made to protect and conserve the integrity of the wall.

These recommendations are adopted by the proposal.

There are no heritage items identified in the *Major Development SEPP* on the site itself.

The only heritage item identified in the vicinity of the land is the Redfern Railway Station building on the southern side of Lawson Street.

The development is to establish a substantial public open space area at the southern end of Precinct 3 and a two (2) storey building element at the southern end of Precinct 2 at its interface with the Station building.

This interface will be little different to the existing situation.

Accordingly, the development will not adversely affect the heritage significance of this item.

#### 7.2.4 Residential Amenity

The residential premises primarily affected by the development are the terrace houses in Lawson and Caroline Streets.

The development's interface with other surrounding properties involves an interface with:

- the rear yards and parking facilities associated with the terrace houses on 1-27 Hugo Street and the side elevation of the terrace house on 13 Vine Street to the west;
- the industrial/warehouse development on 5-7 Hudson Street to the north; and
- the terrace houses on 47-75 Eveleigh Street and the rear of the terrace houses on 1-5 Holden Street to the east and north-east.

The development in the northern section of Precinct 1 involves the construction of town house styled dwellings which will be of a height, bulk and scale not dissimilar to surrounding residential development and will have little, if any, effect on the amenity enjoyed by residents of these properties in terms of privacy, solar access, views or visual impact.

The development in the southern section of Precinct 1, which interfaces with the terrace houses to the south in Lawson and Caroline Streets, involves a six (6) storey element accommodating the proposed apartments.

This element replaces the four (4) storey building that was approved in this section of the site by Concept Approval No.06\_0101.

Consequently, its effect on the privacy, solar access, views and visual impact will not be significantly different to the approved Concept Plan.

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

In these circumstances, the proposal is unlikely to have any undue or unreasonable effect on the amenity of surrounding and nearby residential properties.

#### 7.2.5 Access

The proposal has been designed:

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

An accessibility statement prepared by Nordon Jago Architects is contained in **Appendix 31**.

The statement indicates that the development provides an appropriate response to the requirements of the *Disability Discrimination Act 1992* together with the relevant parts of the *National Construction Code* and *Australian Standard AS 1428*.

## **7.2.6 Construction Considerations**

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

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

In addition, a construction management plan, prepared by Deicorp Constructions Pty Ltd, is contained in **Appendix 26** to outline the manner in which activities associated with the construction of the project are to be managed to minimise its effect on adjoining properties and the area generally.

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

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

## **7.2.7 Stormwater Management**

A stormwater management plan prepared by Neil Lowry & Associates Pty Ltd is contained in **Appendix 25**.

The plan provides details of:

- the proposed drainage facilities;
- on-site detention measures; and
- connections to existing stormwater infrastructure.

Stormwater drainage issues are capable of being addressed within the scope of accepted civil engineering practice.

### **7.3 Public Domain**

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

Public domain improvements are to include:

- the establishment of a unique urban identity through the application of the *Pemulwuy* graphic, materials, cultural interpretive elements and plant selections to reinforce the shared pedestrian/vehicle zone in Eveleigh Street between Lawson and Caroline Streets and the substantial public open space areas proposed in Precincts 2 and 3;
- upgraded streetscapes, including new pavements, tree planting and improved street lighting, in Eveleigh, Caroline, Louis and Vine Streets;
- integration of cultural interpretation elements with the architecture and public domain;
- provision of a publicly accessible paved forecourt in Precinct 1 fronting Caroline and Louis Streets;
- a proposed “land bridge” connection over a portion of the Railway Corridor to provide improved physical and visual integration of the development with the surrounding community, Redfern Railway Station and Lawson Street; and
- application of crime prevention through environmental design principles in the design of the public domain to optimise public safety.

A copy of the public domain and landscape report and plans prepared for the project by SCAPE, Landscape Architects, is contained in **Appendix 11**.

### **7.4 Public Utilities**

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

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

The area is currently serviced by this infrastructure.

The applicant has consulted with the Sydney Water Corporation, Energy Australia, Agility and Telstra concerning the proposed development.

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

Copies of these advices are contained in **Appendices 29** and **30**.

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

## 8.0 Statutory Compliance Assessment

The following is a summary assessment of the proposed development under the heads of consideration contained in Section 79C(1) of the *EP&A Act*.

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

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

### **Section 79C(1)(a)(ii) - The provisions of any proposed instrument that is, or has been, publicly exhibited and notified to the consent authority**

There are no relevant instruments applying to this land.

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

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

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

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

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

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

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

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

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

- site design and internal design;
- construction; or
- cumulative impacts.

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

The proposal is suitable for the site in accordance with the provisions contained in the *Major Development SEPP*, the desired future character of this area as specified in the *BEP 1* in terms of the opportunities and constraints offered by the site and its setting.

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

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

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

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

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

- the proposal achieving excellence in its design, responding to the opportunities and constraints offered by the site and its setting, by:
  - creating a high standard architectural design, form and detailing;
  - significantly improving the amenity of the area and the public domain;
  - achieving the urban design outcomes fostered and promoted by the *BEP 1*; and
  - providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Development SEPP*;
- the proposal providing affordable housing for the local *ATSI* community;
- the proposal facilitating the economic development and use of the land by the *AHC*;
- the provision of additional housing opportunities in an area planned for more intensive development and conveniently located adjacent to extensive public transport services;
- the proposal's consistency with:
  - the objectives of the Business - Mixed Use zoning of the land and the planning principles relating to development in this zone contemplated by the *Major Development SEPP*; and
  - the desired future character of the area contemplated by the *BEP 1*;
- the proposal's positive benefit of achieving the outcomes of the *AHC*'s social plan without any adverse environmental effects; and
- the employment opportunities that will result during both the construction and operational phases of the development.

## 9.0 Conclusion

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

The proposal is consistent with:

- the objectives of the Business - Mixed Use zoning of the land and the planning principles relating to development in this zone contemplated by the *Major Development SEPP*;
- the desired future character of the area contemplated by the *BEP 1*; and
- the objectives and guidelines contained in the relevant planning strategies and policies applying to the redevelopment of the land.

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

- creating a high standard architectural design, form and detailing;
- significantly improving the amenity of the area and the public domain;
- achieving the urban design outcomes fostered and promoted by the *BEP 1*; and
- providing a catalyst and stimulus for the ongoing renewal and revitalisation of the area in the manner contemplated by the *Major Development SEPP*.

The development will provide an interesting and attractive built form element in this section of Redfern and represents a desirable urban design outcome for the development of the land in terms of the desired future character of the Redfern-Waterloo area adjacent to the Redfern Railway Station.

The proposal will provide affordable housing for the local *ATSI* community, facilitate the economic development and use of the land by the *AHC* and achieve the outcomes of the *AHC's* social plan without any adverse environmental effects.

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

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

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

The proposal conforms with the statutory heads of consideration contained in Section 79C of the *EP&A Act* and the public interest would best be served by the approval of this application.

Accordingly, the application is suitable for approval.