



16244
5 July 2016

Carolyn McNally
Secretary
NSW Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Dear Ms McNally,

**REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS
11 GIBBONS STREET, REDFERN**

We write to you on behalf of the proponent, FutureLiving Community Housing Limited requesting that the Secretary issue her requirements for the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSD DA). The DA will seek consent for the redevelopment of 11 Gibbons Street, Redfern (the Site) for the purposes of social and affordable housing with ground floor community uses.

Under Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) development identified within the Redfern Waterloo area with a Capital Investment Value (CIV) of more than \$10 million is identified as State Significant Development (SSD). As the proposed development of the Site will have a CIV of approximately \$52 million, the proposal is classified as SSD.

The purpose of this letter is therefore to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal. This letter is accompanied by a Capital Investment Value Estimate prepared by Watpac (**Attachment A**) and a set of Indicative Architectural Drawings prepared by Turner (**Attachment B**).

1.0 THE SOCIAL AND AFFORDABLE HOUSING FUND

The aim of Social and Affordable Housing Fund (SAHF) is to boost the delivery of social and affordable housing linked to support services across NSW. The NSW Government launched the first phase of procurement for projects to be supported by the SAHF in January 2016.

The NSW Department of Family & Communities has created a short list of applicants who have now been asked to respond to a Request For Proposals (RFP). FutureLiving Community Housing Limited is a consortium comprising Macquarie Corporate Holdings Pty Ltd & Mission Australia and is one of the shortlisted applicants for the SAHF. In order to strengthen their bid, FutureLiving Community Housing Limited is proposing to provide social and affordable housing at the Site. It is proposed to be as far down the planning pathway as possible such that the housing can be delivered as quickly as possible and to give greater certainty that the amount of housing proposed can be physically delivered on the Site.

2.0 MISSION AUSTRALIA

Mission Australia, one of the country's largest for-purpose organisations, established Mission Australia Housing, a Tier 1 community housing provider in 2008. Mission Australia Housing currently owns or manages more than 2,000 social and affordable homes, including Sydney's \$32 million Common Ground development. Together, the two partner organisations work to strengthen communities and reduce homelessness.

Common Ground Sydney is located at 31 Pyrmont Bridge Road, Camperdown and provides housing for long term homeless people and people on low to moderate incomes in the inner-city of Sydney. It is based on the successful Common Ground model from New York, providing permanent homes and on-site support services to help people achieve health and stability and to maximise their ability to live independently.

Common Ground Sydney is a unique model of housing and is the first of its kind in NSW. It is a six storey building which includes 24/7 concierge service, on-site tenancy and support services and a diverse social mix. In total there are 104 units. All units have been built to be fully accessible and all apartments are 100% universal design. The building has been designed to achieve a 5 Star Green Rating.

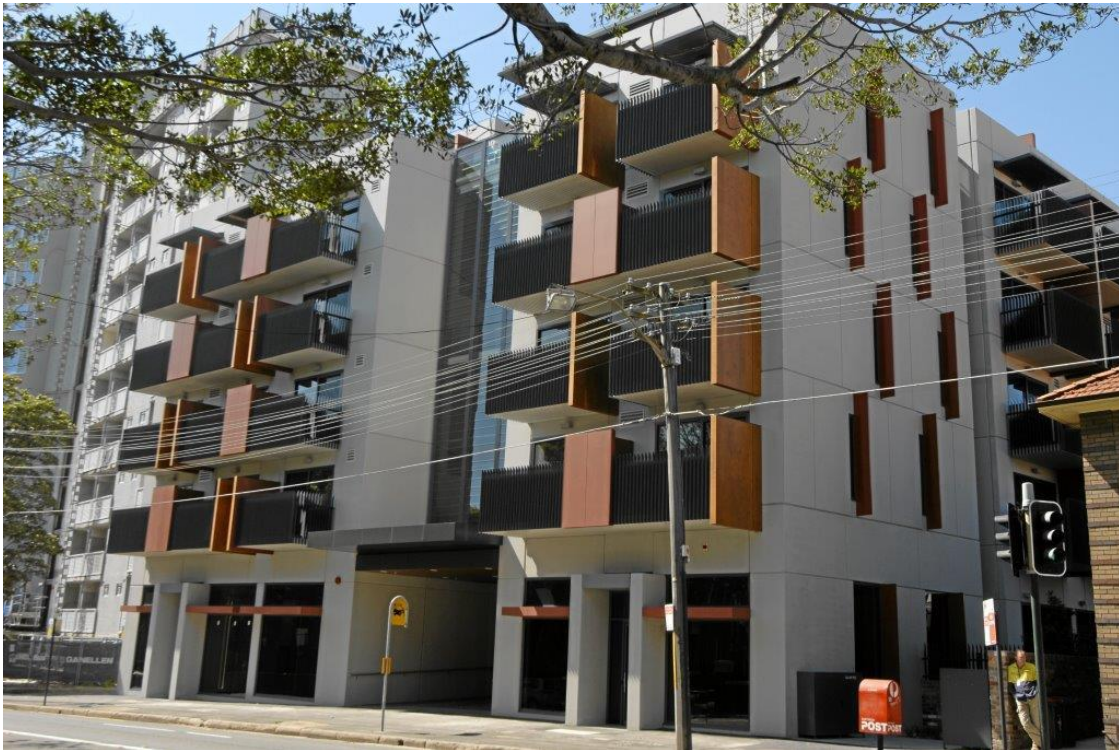


Figure 1 – Photograph of the Common Ground Development in Camperdown
Source: Mission Australia



Figure 2 – Photograph of an apartment in the Common Ground Development in Camperdown
Source: Mission Australia

3.0 THE SITE

3.1 Site Description

The Site is located at the southern corner of Gibbons Street and Marian Street and is known as 11 Gibbons Street, Redfern. It is legally described as 1-11 of DP4209 and has an approximate area of 1,540m².

The Site was previously used as a City of Sydney Council depot. However, Council resolved that the site was surplus to its requirements and consequently to sell the property for the purposes of provision of affordable housing. Macquarie and the City of Sydney are in the final stages of negotiations for the sale of the Site. A requirement of the sale of the Site is that a positive covenant is placed on the land title requiring the affordable housing to be provided in perpetuity unless otherwise agreed by Council.

The Site is 100% occupied by hard standing and buildings/structures. There is no vegetation existing on the Site.

The Site is generally flat with a fall of approximately 570mm from north to south.

The location of the site is shown below in **Figure 3**. An aerial photograph of the site is provided below in **Figure 4**.

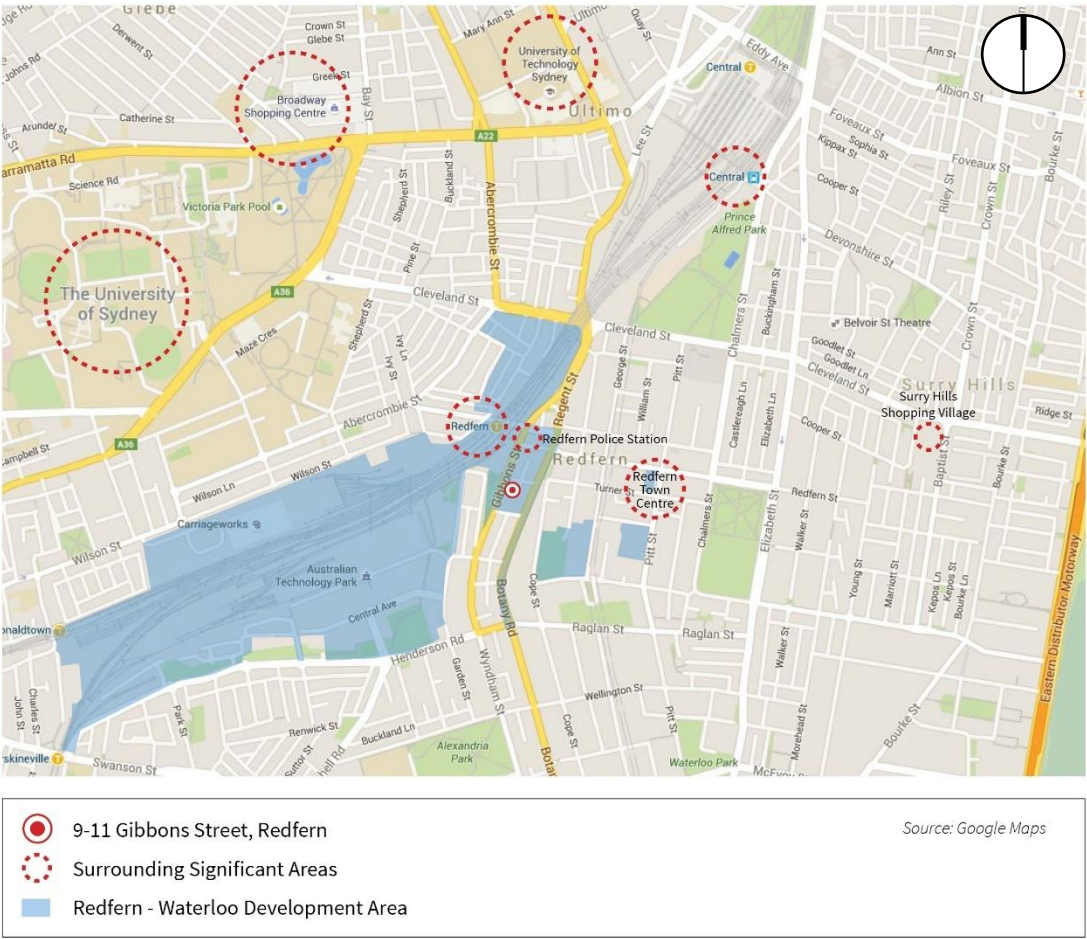


Figure 3 – Location Plan
Source: Google Maps



Figure 4 – Aerial Photograph of the subject site
Source: SIX Maps



Figure 5 – Site Location

Source: SIX Maps

3.2 Surrounding Development

To the north of the Site at 7-9 Gibbons Street is a newly constructed eighteen (18) storey mixed-use development comprising retail and commercial uses, a supermarket and 135 residential apartments. On the opposite side of Marian Street is the entrance to the basement carpark.

North east of the Site is 80-88 Regent Street. An application for a mixed use development (SSD 7080) has been lodged for a mixed use development which comprises retail and child care uses at ground and first floor levels with 80 residential apartments above. The applicant is currently considering submissions made in respect of the application and is yet to respond.

To the east of the Site is William Lane and various retail, commercial and residential developments that front onto Regent Street. Most of these properties are serviced from William Lane. Of particular note is the development at 98-102 Regent Street which comprises a residential flat development. Several units within this development have a frontage to William Lane with a zero boundary setback. The northern elevation of this building is a blank wall.

To the south of the Site is a residential flat development known as 13-23 Gibbons Street. This development has been constructed in a perimeter block form with a central courtyard space in the central and north-eastern parts of the Site. This development is setback approximately 3m from Gibbons Street.

The land to the west, on the opposite side of Gibbons Street, is the Marian Street Park. Beyond the park are residential buildings and the Redfern railway lines.

4.0 DESCRIPTION OF PROPOSED DEVELOPMENT

It is proposed to build a residential flat building on the Site which is based on the Common Ground Sydney development providing both social and affordable housing as well as community spaces.

The ground floor level will comprise non-residential uses, including enterprise/multipurpose rooms, communal areas and staff offices. It will also include a 24/7 concierge service. The main entrance is proposed to be located off Marian Street as it is considered that most of the pedestrian traffic will arrive at the Site from the north. A communal open space area is proposed along the Gibbons Street frontage to further increase activation of that streetscape as well as provide amenity to the future residents of the building.

Within the podium of the development will be studio apartments which will be used as social housing. The accommodation is referred to as 'rough sleepers' and will be used to accommodate formerly long-term homeless people, as well as provide short stay accommodation for this cohort. It is intended that, in addition to SAHF Tailored Support Coordination Services, these formerly homeless people will be provided with intensive support services by appropriately skilled, on-site Mission Australia staff. Storage space for residents will also be provided within the podium of the development.

In the tower above will be a mix of social and affordable apartments. These have been designed to comply with the requirements of the Apartment Design Guide as well as the Silver Liveability standard. Approximately 37% of the proposed apartments will be adaptable. The building will accommodate the following mix of apartments:

Table 1 – Apartment Mix

Apartment Type	Number of Social	Number of Affordable	Total (%)
Studio	30	0	30 (20%)
One bedroom	8	53	56 (40%)
Two Bedroom	8	53	70 (40%)
Total (%)	46 (30%)	108 (70%)	154

NB – this is an indicative mix and number and is likely to change as the design develops

The proposed building will rise 18 storeys high and will have an approximate Gross Floor Area of 11,620m² and an FSR of 7.5:1. The development will utilise the affordable housing bonus floorspace available under *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

No basement is proposed and minimal on-site parking is to be provided. Six parking spaces will be provided at ground level which will be made available for staff and potentially go-get cars. Secure bicycle storage is also proposed on the ground level for residents. Passage through the site at ground level for garbage trucks is proposed at the southernmost part of the site so as to enable servicing of the site. Garbage trucks will enter through William Lane and exit onto Gibbons Street in a forward direction.

External Appearance

The project is designed to fit within its particular context and to be formally organised in response to the building programme and in order to provide excellent amenity for residents. Prefinished materials are favoured over finishes with applied coatings as they have superior longevity and require less maintenance over the lifecycle of the building. The proposed exterior palette is:

- Precast concrete
- Face Brick
- Off-form concrete
- Powder coated aluminium glazing
- Aluminium screens
- High-build finishes and render [to selected areas]

All materials are selected for low reflectivity. The palette is designed to limit reflectivity below 20%

The lower floors will have wintergarden balconies in order to lower noise from Gibbons Street. Lower apartments in the podium levels will have additional openings to the corridor/void to facilitate further natural cross-ventilation routes. Soffits to lower level apartments will be acoustic treated to minimize reflected sound from the street.

Environmentally Sustainable Design

The building is designed to achieve ESD principles including building form, material, finishes and fixture selection and to provide tangible social benefits for the community. The proposed ESD measures include:

- Tower levels shaped to enhance solar access to western apartments and natural cross ventilation to 1 bedroom apartments.
- Podium level common corridor designed as semi-external space with controlled glass louvres to the exterior to moderate temperature and to provide additional ventilation opportunities to the apartments.
- Limited conditioned spaces – all residences are naturally ventilated and supplemented by ceiling fans
- Low-water use hydraulic fixtures
- Rainwater harvesting for ground floor and podium top gardens.
- Acoustic measures to reduce noise from traffic and subterranean railway tunnel.
- Site remediation
- The design will respond to crime prevention through environmental design (CPTED) by means of balconies for residential overlooking, clear internal and external lines of sight (building entry / egress points, internal corridors), lighting provisions during after-hours and a 24/7 concierge



Figure 6 – Gibbons Street view of proposed building looking south-east

Source: Turner



Figure 7 – Section through the proposed building
Source: Turner

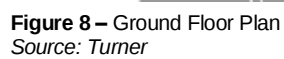




Figure 9 – Level 1 (podium) floor plan
Source: Turner



Figure 10 – Typical Tower Floor Plan
Source: Turner

5.0 PLANNING CONTEXT

5.1 Relevant Planning Issues to Guide the SEARs

The environmental planning issues that are proposed to be addressed in the EIS are outlined below to assist the Department and Secretary in identifying the Environmental Assessment Requirements for the project.

The key environmental planning considerations associated with the proposed development are as follows:

- Compliance with relevant Environmental Planning Instruments;
- Urban Design, Built Form and Streetscape;
- Residential Amenity;
- Overshadowing;
- Traffic, Access and Parking;
- Public Domain and Landscaping;
- Acoustic Impacts;
- Accessibility;
- Environmental Sustainability;
- Safety and Security
- Operational Management;
- Services Plan and Details;
- Building Code of Australia and Fire Safety;
- Construction Management;
- Waste Management;
- Electrolysis;
- Sydney Airport Obstacle Limitation Surface, and
- Community Consultation.

These are discussed in more detail in the following sections.

6.0 STATUTORY REQUIREMENTS

6.1 State Environmental Planning Policy (State and Regional Development) 2011

The *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) identifies development which is declared to be State Significant. Schedule 2 of the SRD SEPP states that development on the Redfern-Waterloo Sites with a Capital Investment Value (CIV) of more than \$10 million is considered as State Significant Development (SSD). As the proposed development will have a CIV value of more than \$52 million, the proposal will be classified as SSD.

6.2 Environmental Planning and Assessment Act 1979

The Act establishes the assessment framework for SSD. Under Section 89D of the Act the Minister for Planning is the consent authority for SSD. Section 78A(8A) requires that a development application for SSD is to be accompanied by an Environmental Impact Statement (EIS) in the form prescribed by the Regulations.

6.3 State Environmental Planning Policy (State Significant Precincts) 2005

The site is located within the area identified as Redfern-Waterloo Sites under the State Significant Precincts SEPP. The specific controls applying to this area (including the Site) are set out in Schedule 3 – Part 5 of the SEPP.

The site is zoned – Zone E – Business Zone – Commercial Core, which permits residential development with development consent. The proposed use is consistent with objectives of the Business Zone—Commercial Core in that it is compatible with non-residential development, will encourage employment generating activities, will seek to encourage sustainable forms of transport and will seek to achieve design excellence.

In accordance with Clause 21 of Part 5 of Schedule 3 of the State Significant Precincts SEPP, the site has a maximum permissible height of 18 Storeys and an FSR of 7:1 (total of 8.4:1 with the Affordable Rental Housing bonus). As shown on the attached Drawings (**Attachment B**), the proposal is consistent with these clauses. The site is not located adjacent to or in the vicinity of any nominated heritage items.

Design Excellence

Clause 22 of Part 5 of Schedule 3, relates to Design Excellence. This clause requires that the consent authority has considered whether the proposed development exhibits design excellence. In considering whether a proposed development exhibits design excellence, the consent authority must have regard to the following matters:

- a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
- b) *whether the form and external appearance of the building will improve the quality and amenity of the public domain,*
- c) *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,*

All of the relevant criteria above will be addressed in detail as part of the SSD submission.

Clause 22(3) Part 5 of Schedule 3 states:

(3) The consent authority may require a design competition for any development over 12 storeys consistent with guidelines issued by the Redfern–Waterloo Authority and approved by the Minister.

In this instance we consider that a competitive design process is unnecessary as the appointed architect for the project, Turner Studio, has demonstrated commitment to design excellence having delivered many successful developments including Otto in Green Square, East Village in Zetland, and Divercity Blocks C&D, Waterloo.

The timing to undertake a competition would also have an adverse impact on the timing and viability of the development. As noted previously this project will form part of a bid being put forward to seek funding under the Social and Affordable Housing Fund. A key aim of the bid is to fast track the delivery of much needed social and affordable housing in the Redfern area. Requiring a design competition in this instance would mean that some of that funding is diverted away from the provision of the affordable housing.

The SSD submission will be accompanied by a detailed architectural design statement, as well a context and massing study to demonstrate the rationale and suitability of the proposed scheme. Furthermore, this report will also detail the proposed materials and façade articulation. The SSD scheme will also demonstrate the proposal's achievement of amenity, including sunlight, natural ventilation – including naturally ventilated corridors, reflectivity, and safety and security, and privacy. Finally, in the consideration of design excellence, consideration will be given to the relevant design excellence provisions of the Sydney Local Environmental Plan 2012. The SSD application will demonstrate how the proposed scheme meets the objectives of these controls to achieve design excellence.

Further to the above we note that a number of other applications have been determined in the Redfern Waterloo area without the need for a design competition, including 157 Redfern Street, Redfern –

Redfern RSL (MP 09_0039), 7-9 Gibbons Street, Redfern – Residential/Mixed Use Building (MP 08_0112) and 60-78 Regent Street, Redfern (SSD 6724).

6.4 Sydney Local Environmental Plan 2012 (LEP 2012)

The provisions of the Sydney LEP 2012 do not apply to the site.

6.5 Sydney Development Control Plan 2012 (DCP 2012)

The provisions of the Sydney DCP 2012 do not apply to the site. However, the relevant provisions within the DCP will be considered as a guide when preparing the SSD application.

6.6 Draft Urban Design Principles – Redfern Centre

The SSD will consider all relevant provision and objectives of the Draft Urban Design Principles for the Redfern Centre, including built form, setbacks, modulation, height and public domain. These will be detailed within the Architectural Design Report and the EIS.

6.7 State Environmental Planning Policy (Affordable Rental Housing) 2009

The project will seek to utilise the 20% bonus Floor Space Ratio available under clause 14 of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

6.8 Other Planning Policies

In addition to the above, the following policies apply to the site and will need to be considered as part of the SSD application:

- Objectives of the Environmental Planning and Assessment Act 1979;
- A Plan for Growing Sydney;
- Metropolitan Transport Plan 2010;
- Draft Sydney City Subregional Strategy;
- State Environmental Planning Policy (Affordable Rental Housing) 2009;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy 64 – Advertising and Signage;
- State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and Apartment Design Guide;
- State Environmental Planning Policy (Infrastructure) 2007;
- Development Near Rail Corridors and Busy Roads – Interim Guideline; Planning Guidelines for Walking and Cycling; and.
- Redfern-Waterloo Authority Development Contribution Plan (Note the application will seek an exemption from paying any contributions in accordance with clause 6 of the Contributions Plan).

The EIS will provide an assessment of the proposed development against the above instruments and policies and will provide justification for any variations proposed where appropriate.

The EIS will also demonstrate that the proposal is strategically aligned with the following Council policies:

- Sustainable Sydney 2030 Vision
- Affordable Housing Strategy 2009-2014

7.0 OVERVIEW OF LIKELY ENVIRONMENTAL AND PLANNING ISSUES

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future DA.

7.1 Urban Design, Built Form and Streetscape

The EIS will include an assessment of the proposed building design and will outline how the proposed building achieves design excellence (in accordance with the requirements of the State Significant Precincts SEPP as well as Sydney LEP 2012). An architectural design statement prepared by the architects will also be submitted explaining the design principles of the building, the design responses to surrounding development and the Regent Street streetscape.

7.2 Residential Amenity

The EIS will demonstrate the proposal's achievement of residential amenity. Consideration of the amenity principles established in SEPP 65 will also be included. It is noted that the Site presents some challenges to be overcome in this regard, particularly in relation to building separation issues. This is an issue which has also arisen for the new residential developments immediately to the north of the Site where alternative solutions have been proposed in lieu of full compliance with the recommended setbacks.

7.3 Overshadowing

The EIS will include shadow diagrams which show the shadowing impacts of the proposed building.

7.4 Public Domain and Landscaping

A Public Domain Plan will be submitted with the SSD DA providing details of publicly accessible areas and finishes.

7.5 Traffic, Access and Parking

A Traffic and Parking Statement will accompany the application which that will detail the accessibility of the site and the suitability of servicing facilities are available for the proposed development. It is noted that minimal parking will be proposed due to the close proximity of the Site to the Redfern train station and also the nature of accommodation proposed. The applicant is also investigating the potential to accommodate Go-Get cars on the Site for residents of the building.

7.6 Waste Management

A Waste Management Plan will be prepared as part of the EIS. The plan will indicate the collection points and method of removal from the site, include the various waste streams from the different uses proposed. The report will include details of the waste storage and collection arrangements. Provision has been made for a standard size garbage truck to enter the Site from William Lane and exit in a forward direction onto Gibbons Street.

7.7 Noise

An acoustic assessment will accompany the EIS. This will address both the acoustic amenity of future occupiers as well as existing neighbouring receivers. It is noted that Gibbons Street is a classified road and that specific attention will be paid to ensuring that the apartments on that frontage are suitably treated.

7.8 Accessibility

The proposed development will be designed to provide universal access to all publicly accessible areas and will provide accessible accommodation in accordance with the relevant standards. An access statement prepared by a qualified accessibility consultant will accompany the EIS.

7.9 ESD

The proposal will be supported by a BASIX certificate confirming that the proposal provides suitable ESD initiatives.

7.10 Safety and Security

A Crime Prevention Through Environmental Design (CPTED) report will accompany the application addressing the issue of crime prevention and safety.

7.11 Heritage

The EIS will be accompanied by a Heritage Impact Statement which will address both European and Aboriginal Heritage issues.

7.12 Services Plan and Details

Information on the proposed site services will be provided which will confirm that the existing site services can be suitably augmented to accommodate the proposed development.

7.13 BCA Report

The EIS will include a BCA Report, confirming that the proposal complies or is capable of complying with the relevant provisions of the BCA.

7.14 Contamination

The site has previously been used as a Council depot. The proposal will be supported by phase 1 and phase 2 investigations and will confirm that the site is or can be made suitable for residential development.

7.15 Construction Management

A preliminary Construction and Environmental Management Plan will be submitted with the application outlining the key management measures to be implemented during construction of the proposed development, including construction traffic management.

7.16 Sydney Airport Obstacle Limitation Surface (OLS)

The proposed building involves a minor breach of the Sydney Airport OLS (plant). A specialist consultant will be engaged to consult with the Sydney Airport Corporation Limited and to advise on this aspect of the proposed development.

7.17 Community and Stakeholder Consultation

The EIS will document consultation undertaken during the preparation of the application. A consultation consultant will be engaged to assist with this aspect of the proposal. At this stage it is proposed to consult with the following entities:

- City of Sydney Council
- Urban Growth NSW Development Corporation
- Aboriginal Housing Corporation

8.0 CONCLUSION

The purpose of this letter is to request the SEARs for the preparation of an EIS for the proposed social and affordable housing development at 11 Gibbons Street, Redfern. It includes a description of the proposed development and an outline of what are considered to be the key issues for the assessment of the State Significant Development Application.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or jbuchanan@jbaurban.com.au.

Yours faithfully



Jennie Buchanan
Associate

Enc.

Attachment A – Capital Investment Value Estimate prepared by Watpac

Attachment B – Indicative Architectural Drawings prepared by Turner

Attachment C – Common Ground Sydney Information Sheet