



NSW GOVERNMENT  
**Department of Planning**

***MAJOR PROJECT ASSESSMENT  
CONCEPT PLAN FOR A RESIDENTIAL  
DEVELOPMENT AT THE FORMER RACHEL  
FORSTER HOSPITAL SITE  
Proposed by REDFERN WATERLOO  
AUTHORITY  
MP 07\_0029***

Director-General's Environmental Assessment  
Report  
Section 75I of the  
*Environmental Planning and Assessment Act 1979*

October 2007



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# 1 EXECUTIVE SUMMARY

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This is a report on a Concept Plan application seeking approval for redevelopment on land for residential and public open space purposes, at 134-144 Pitt Street, Redfern (Lot 7 DP 664804), formerly known as the Rachel Forster Hospital site (the site). The site is owned by NSW Health and comprises a total area of approximately 6, 923m<sup>2</sup>. The existing hospital buildings occupy a floor area of 13, 191m<sup>2</sup>.

The Concept Plan seeks approval for the redevelopment of the site for the following key parameters:

- Use of the site for residential purposes comprising residential flat buildings, and the dedication of land for public open space purposes;
- A residential floor space ratio of 2:1 (GFA of 13, 846m<sup>2</sup>, approximately 150 units);
- Retention and adaptive reuse of heritage building and colonnade structure and removal of remaining structures on site;
- Three new detached residential buildings over a basement car park, including an additional floor to existing heritage building;
- Basement car park for approximately 160 vehicles;
- Building heights across the site ranging from 3 storeys to 6 storeys above street level;
- Removal of 8 trees and the provision of 1. 060m<sup>2</sup> of open space and landscaping, including land dedicated for public open space purposes.

The final number, layout, mix and size of apartments do not form part of this application, and will ultimately be determined in a subsequent Project Application. However, the architectural concept plans include an indicative apartment layout illustrating different apartment types that may be accommodated within the building envelopes.

The site is identified in the Redfern-Waterloo Authority Built Environment Plan (BEP) as a strategic site for the purposes of medium density residential development. The BEP also identifies the 5 storey surgery building and part of the 2 storey colonnade building as having heritage significance.

The site is also listed in *State Environmental Planning Policy (Major Projects) 2005* (MP SEPP) as a State Significant Site and being development on land identified as a Redfern-Waterloo Authority Site exceeding a capital investment value (CIV) of \$5 million. The CIV of the proposal is \$44.13 million and under the provisions of the MP SEPP the Minister is the consent authority.

The Concept Plan proposes a maximum height of 6 storeys above street level and seeks a floor space ratio (FSR) of 2:1 thus complying with the 6 storey height limit and 2:1 FSR controls in the MP SEPP for the site.

The Concept Plan was received by the Department on 29 June 2007 and was placed on exhibition for a period of 37 days between 26 July and 31 August 2007. During the exhibition period the Department received a total of 4 submissions from public authorities. Submissions were not received from the public.

The proponent was issued with copies of the public submissions and key issues raised during the exhibition period have been dealt with in this report.

Key issues considered in the Department's assessment include:

- Building form and envelopes;
- Density, Heights & Setbacks;
- Open Space, Landscaping & Trees;
- Traffic Impacts, Transport, Parking & Access;
- Heritage & Archaeology;
- Potential On-site Contamination;
- Residential Amenity;
- The Public Domain, Safety & Security;

- Ecologically Sustainable Development;
- Social & Economic Impacts;
- The Public Interest.

The Department has assessed the merits of the Concept Plan and is satisfied that the impacts of the proposed development have been addressed via the Draft Statement of Commitments and recommended modifications to the Concept Plan and that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. The proposed redevelopment establishes a sound framework for the provision of ESD outcomes on the site and further detailed analysis can be undertaken at the Project Application stage. On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the proposal will provide environmental, social and economic benefits to the region. All statutory requirements relating to Concept Plan proposal have been met.

The Department recommends that the concept application be approved, subject to modifications.

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## 2 BACKGROUND

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### 2.1 THE SITE

#### 2.1.1 Site context and location

The site, formerly known as the Rachel Forster Hospital, is located at 134-144 Pitt Street, Redfern (Lot 7 DP 664804) and is within the local government area of the City of Sydney Council (Council) and the Redfern-Waterloo Authority's (RWA) Operational Area. The site is owned by NSW Health and comprises a total area of approximately 6,923m<sup>2</sup>. The site is bounded by Albert Street to the north, residential development to the south, Pitt Street to the east and a warehouse and residential development to the west (see Figure 1 – site location).

The site is located within 500m of Redfern railway station and also benefits from nearby frequent bus services. Local shops and services located on Redfern Street and Regent Street are within 200-300m of the site, whilst Redfern Park and Oval are within 250m of the site. The Australian Technology Park is located approximately 750m west of the site.

#### 2.1.2 Existing site features

The site is currently occupied by disused former hospital buildings, ranging in height from 3/4 to 5/6 storeys. The northern part of the building complex is currently occupied by the Central Area Health Service, who will relocate to the new community facility in the future. The buildings are generally configured in the form of an 'H' with an additional building extending west from the centre, as follows:

- A 5 storey building, referred to as Building 1, is located along the southern boundary of the site, with an additional basement level.
- Along the northern boundary of the site, fronting Albert Street, is a 2-3 storey building referred to as Building 3.
- Buildings 1 and 3 are connected by a central 2 storey building, referred to as Building 2, which fronts Pitt Street.

Vehicular access to the site is via a singular driveway in the north western corner off Albert Street, a driveway off Pitt Street, at the south eastern corner of the site, and the semi-circular driveway off Pitt Street.

The site contains 17 tree species as well as 2 tree species on the adjoining property to the south, which are located close to the common property boundary. The existing landscaped courtyard area fronting Pitt Street contains the most significant vegetation on the site whilst the areas at the rear (western part) of the site has been neglected over the years and consists mainly of weed species together with occasional shrubs in planter areas.

#### 2.1.3 Surrounding development

The site is located in a predominantly residential area with the exception of the 2 storey warehouse building adjoining its western boundary. Residential development to the north and east of the site is characterised by terrace housing, whilst medium to high density residential development is located to the south and west. Adjoining the site at its southern boundary is a multi-unit residential development that is up to six storeys in height. Further south of the site is the NSW Department of Housing residential towers, ranging in height from 15 to 30 storeys.

Within the vicinity of the site are other land uses, such as retail and commercial uses that form part of the town centre of Redfern, and the former Redfern Public School which is proposed to be redeveloped to create a National Indigenous Development Centre.

#### 2.1.4 Zoning

The site is zoned Residential – Medium Density Residential under the provisions of Schedule 3, Part 5 of State Environmental Planning Policy (Major Projects) 2005 (MP SEPP). A range of dwelling forms is permissible with

consent in this zone, including dual occupancies, dwelling houses, multi dwelling housing, residential flat buildings, and seniors housing. The subject proposal is for medium density residential development in the form of residential flat buildings and is therefore permissible.

The development controls for the site under the MP SEPP require:

- A maximum three storey height limit to Albert Street, at the northern part of the site;
- A maximum six storey height limit on the central and southern parts of the site;
- A maximum floor space ratio (FSR) of 2:1.

Building 1 and part of the colonnade facing Pitt Street of Building 3 are identified as heritage items under the MP SEPP and as such the proposed development takes this into consideration.

## 2.2 SITE HISTORY

The Rachel Forster Hospital for Women and Children owes its inception to six female doctors of the time who were seeking to establish a women's hospital. The Rachel Forster Hospital was officially opened in December 1941 however patients did not occupy the facility until February 1942. The war-time situation of the time is reflected in the hospital design which had air raid shelters and emergency operating and treatment rooms constructed in the basement.

In 1941 the hospital was recognised as a Training Centre for nurses and so continued its plans for expansion with a new Nurses' Home planned in 1944 and completed by February 1949. Among the most important Post World War II developments was the opening of the Breast Clinic, in the latter part of 1950.

In December 1953 a new Outpatients' Department, Building 3, was opened at the northern part of the site. The construction of Building 3 included an extension to the northern end of Building 2, including the extension of the colonnade. The second floor of the new wing was occupied by various specialist clinics, and in 1955 Rachel Forster became the first hospital in Sydney to undertake the relatively new study of mammography.

In the 1960s the Hospital Board decided to employ male resident doctors and in August 1967 a male ward was opened in response to a need for hospital services to the general public in the immediate area, which was growing in population.

In January 1978 work commenced on the new building that would accommodate a hydrotherapy pool to aid in the treatment of arthritis and rheumatic diseases. This building was an addition to the western edge of the central colonnade building.

The Rachel Forster Hospital continued to offer a wide range of services until it closed in September 2000.

### 2.2.1 Previous applications

Since the construction of the hydrotherapy pool in 1978, no further development applications and/or development on the site has occurred.





Subject site

Figure 1 – Site location

## 3 PROPOSED DEVELOPMENT

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### 3.1 The proposed development

Approval is sought for a Concept Plan for the redevelopment of the former Rachel Forster Hospital site for residential development with a maximum gross floor area of 13, 846m<sup>2</sup>, and open space purposes. Specifically, the concept plan proposal consists of the following:

- The retention and adaptive reuse of the existing 5 storey building along the southern part of the site, referred to as Building 1, including the addition of a level such that it is 6/7 storeys in total above the existing ground level. It is noted that the existing building includes an additional level which is predominantly below the existing ground level.
- Removal of the existing central building, with the exception of the existing colonnade fronting Pitt Street, which will be incorporated into the new building design.
- Provision of a new 3 storey residential building behind the retained colonnade, referred to as Building 2.
- Removal of the existing building fronting Albert Street and provision of a new 4 storey residential building including basement level, referred to as Building 3.
- Provision of a new 3 storey residential building along the western boundary referred to as Building 4 and located in parallel to Building 2.
- Provision of two levels of basement car parking for approximately 160 vehicles, underneath the central section of the site.
- The proposed dedication of land fronting Pitt Street for public open space.

The Concept Plan seeks approval for the maximum floor space permitted for the site, which is 2:1. The concept plan envisages approximately 150 dwellings on the site, the specific details of which will be outlined in a subsequent project application.

#### Land Use

The Concept Plan proposes a residential flat development with the use being for residential apartments. Open space use is also proposed in conjunction with the development, being that for private and communal open space for residents of the development, and a proposed public open space area to be dedicated to the local Council. If this does not occur, this open space area will be part of the development and made available to the residents of the site.

#### Building Heights, Envelopes and Location

The Concept Plan seeks consent for the general siting, height and envelope of buildings for the proposed development. The proposal retains the general 'H' configuration of the existing former hospital buildings but, introduces a fourth building adjacent to the western boundary of the site.



### *Building 1*

- The addition of another level above the existing roof level of the building, resulting in an overall height of 6 storeys above street level.
- New building has a maximum height of RL55.10 and wall height of approximately 23 metres above existing ground level.
- Demolition of the existing articulated southern façade and provision of an additional building footprint having a depth of 3.887m to the southern side of the existing building, thus reducing the setback from the southern boundary.
- Additional storey to be setback 2.5 metres from the western and eastern edges and 2 metres from the northern edge of the existing building.
- Building setbacks and separation:
  - Nil setback from Pitt Street (existing setback)
  - Set back from southern boundary at 6 metres
  - Set back from western boundary at 3 metres
  - Set back from Buildings 2 and 4 to the north at 6.6 metres.
- Indicative gross floor area of 6, 246m<sup>2</sup>.

### *Building 2*

- New 3 storey building located along the central part of the site, behind the existing heritage colonnade structure.
- Building height of RL45.05 and wall height of approximately 8.28m above existing ground level.
- Building footprint measuring 16 metres x 36 metres.

- Building setbacks and separation:
  - Set back from Pitt Street (eastern boundary) at 24 metres.
  - Set back 9 metres at ground level from Building 1 to the south, 6.5 metre separation above ground to balconies.
  - Set back 9 metres at ground level from Building 3 to the north, 7 metres separation above ground to balconies.
  - Set back from Building 4 (parallel, to the west) at 14 metres along ground level, 10 metre separation above ground to balconies/private open space.
- Indicative gross floor area of 1, 431m<sup>2</sup>.

#### *Building 3*

- New 4 storey building, including an existing basement level, facing Albert Street (3 storeys above street level).
- Building height of RL45.05 and varying wall height of approximately 9.43m – 11.01m above existing ground level.
- Building footprint measuring 19.7 metres x 75.95 metres.
- Building setbacks and separation:
  - Nil setback from Pitt Street (eastern boundary), consistent with Building 1.
  - Set back from Albert Street (northern boundary, front setback) at 3.2 metres.
  - Nil setback from western boundary.
  - Set back from Buildings 2 and 4 at 9 metres along ground level, 7 metres above ground to balconies.
- Indicative gross floor area of 4, 546m<sup>2</sup>.

#### *Building 4*

- New 3 storey building located along the western boundary, parallel to Building 2.
- Building height of RL45.05 and wall height of approximately 10.05 metres above existing ground level.
- Building footprint measuring 36 metres x 16 metres.
- Building setbacks and separation:
  - Set back 4 metres from western boundary
  - Set back 10 metres from Building 2, immediately to the east.
  - Set back 9 metres at ground level from Building 1 to the south, 6.5 metre separation above ground to balconies.
  - Set back 9 metres at ground level from Building 3 to the north, 7 metres separation above ground to balconies.
- Indicative gross floor area of 1, 431m<sup>2</sup>.

## Access and Car Parking

The Concept Plan proposes 2 levels of basement parking, located beneath Buildings 2, 3 and 4. The basement car park is designed for up to 160 car parking spaces with additional space for bicycle parking and storage facilities.

Access to the basement car park is proposed from the existing 6.6 metre wide, combined entry/exit driveway crossing from Pitt Street, which extends along the southern boundary of the site. Entry into the basement is proposed via ramps located at the south western corner of the site, adjacent to Building 1.

Pedestrian access to the basement is proposed via internal lifts and stairs located within each of the four buildings.

Pedestrian access to the site is proposed primarily from the Pitt Street boundary, through the public open space and pedestrian walkways. There is potential for access to individual ground floor apartments, whilst apartments on higher levels will be via stairs and lift systems within each building. Building 3 will have direct access off Albert Street and there is also potential for ground floor apartments to have individual access from the street.

## Open Space, Landscaping & Tree Removal

The Concept Plan proposes an area of open space along the eastern boundary, fronting Pitt Street and bound by Buildings 1, 2 and 3. This open space area incorporates an existing semi-circular driveway as well as some existing trees that will be retained. The Concept Plan proposes to dedicate this area as public open space (approx. 1,060m<sup>2</sup>) to the City of Sydney Council. This will be subject to the agreement of the Council and if not dedicated, will be open space servicing both the development and the general public.

Private open space is proposed primarily in the form of balconies, with opportunity for ground floor apartments to have courtyards and terraces.

A Landscape Concept Plan accompanies the development concept plan, and provides landscaping principles to guide further detailed design of the proposed open space and general landscaping throughout the site.

Generally the landscaping principles seek to use landscape design to enhance connectivity and access across the site through a series of pathways and communal open space areas, whilst delineating between private and public space; enhance security and safety for both residents and the public through the use of lighting and plantings, and retain large, established trees where possible.

An analysis was undertaken of 19 individual trees on the site and adjoining properties. Eight trees have been identified for removal to directly facilitate the development, 3 trees have the potential to be impacted by the development, whilst 4 trees have been recommended for removal because of their structural integrity. Trees that require removal or will be potentially impacted by the proposed development have been identified and concept approval is sought for their removal.

## Development Data Table

Table 1 – Assessment of former Rachel Forster site redevelopment Concept Plan against numerical standards in MP SEPP

	Proposed	Control (MP SEPP)	Compliance
Lot size	6, 923m <sup>2</sup>	N/A	N/A
Height	3/4 storeys -Albert St 6/7 storeys - Pitt St	3 storeys - Albert St 6 storeys - Pitt St	Yes/No*
GFA	13, 846m <sup>2</sup> (existing is 13,191m <sup>2</sup> )	13, 846m <sup>2</sup>	Yes
FSR	2:1	2:1	Yes
Heritage Items	Retain existing five storey surgery building and colonnade structure and incorporate into new development proposal	Five storey surgery building & part of two storey colonnade building identified as heritage items	Yes

\*The storey control in the MP SEPP sets maximum heights relative to the 2 major street frontages of the site, being 6 storeys to Pitt Street and 3 storeys to Albert Street. The definition of storey excludes, amongst other things, basements. A basement is defined as being below existing ground level, and protruding not more than 1 metre.

The proposal seeks to utilise the existing basement level within the retained building, resulting in a total height of 7 storeys including the basement. The basement protrudes above the existing ground level by more than 1 metre in the rear part of the site. The building to Albert Street is a total of 4 storeys, with the lowest level being a storey below street level (existing ground level). Therefore the proposal does not comply with the control in some parts of the site, largely due to the existing ground levels varying widely and being significantly excavated in some areas, in particular towards the rear of the site and immediately adjacent to Albert Street.

Clause 21(3) of Schedule 3 of the MP SEPP allows the Minister to approve a concept plan which exceeds the maximum height control. As this application is for a concept plan, the height restriction is not a prohibition in this instance. Given that the proposed envelopes achieve the intention of the MP SEPP and that the existing adaptively reused building will present as 6 storeys to Pitt Street, and the new building fronting Albert Street will present as 3 storeys, the proposed envelopes are acceptable and worthy of support.

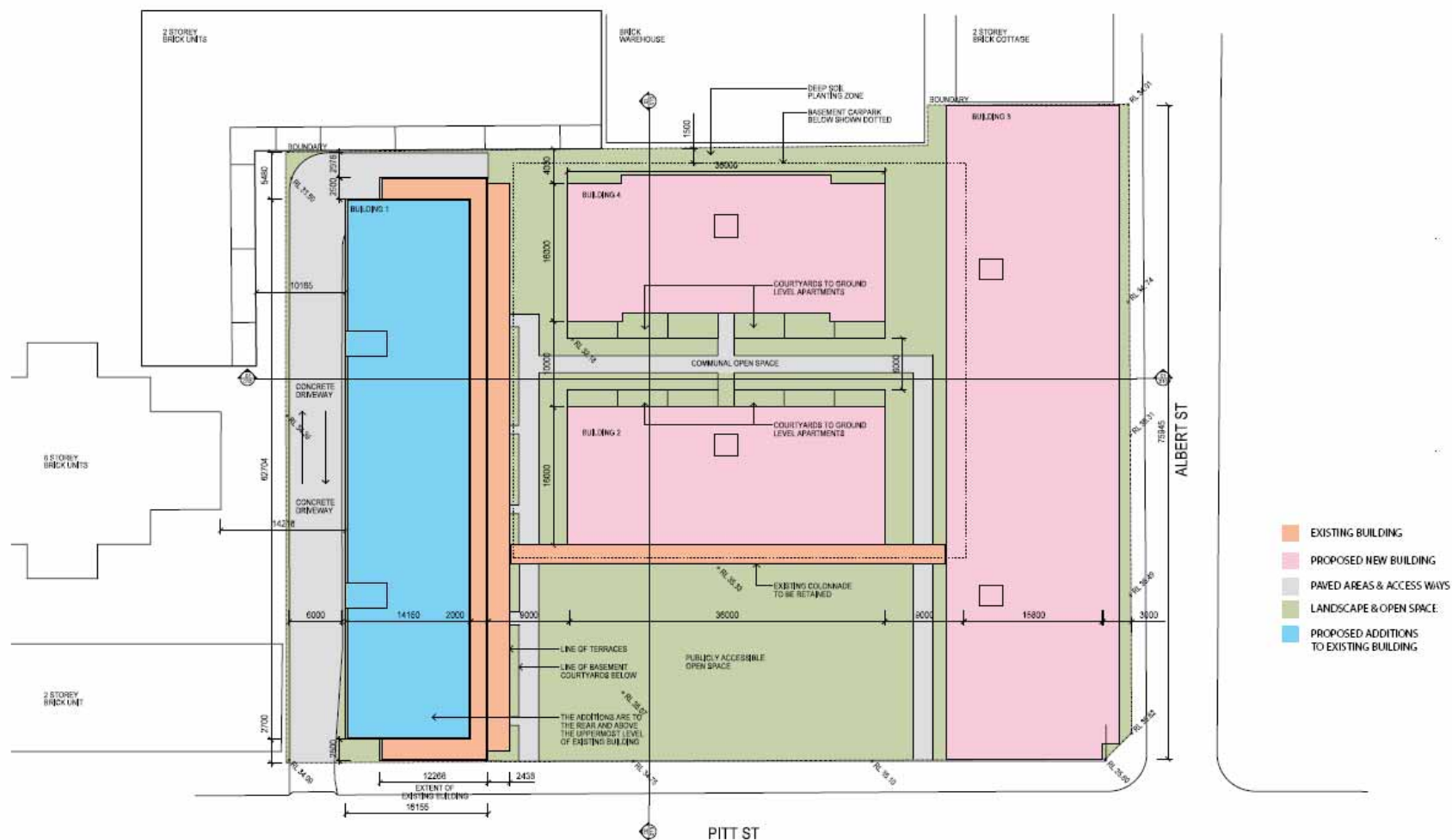


Figure 2: Proposed development layout, indicating proposed location, orientation and setbacks of building forms

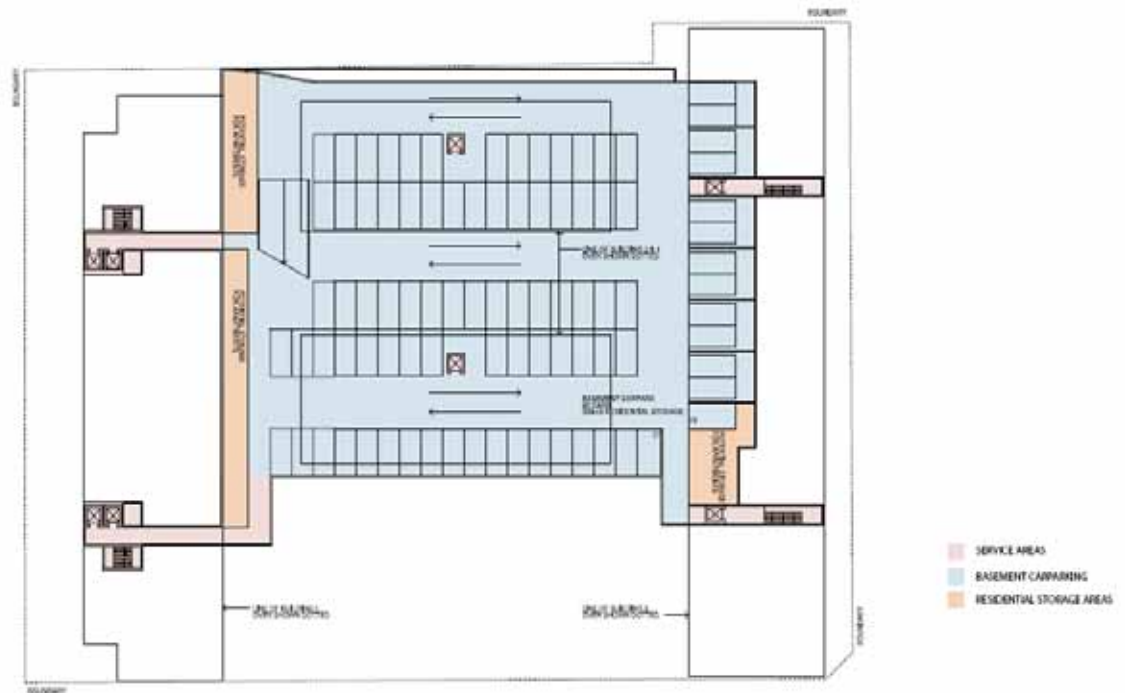


Figure 3: Lower basement layout

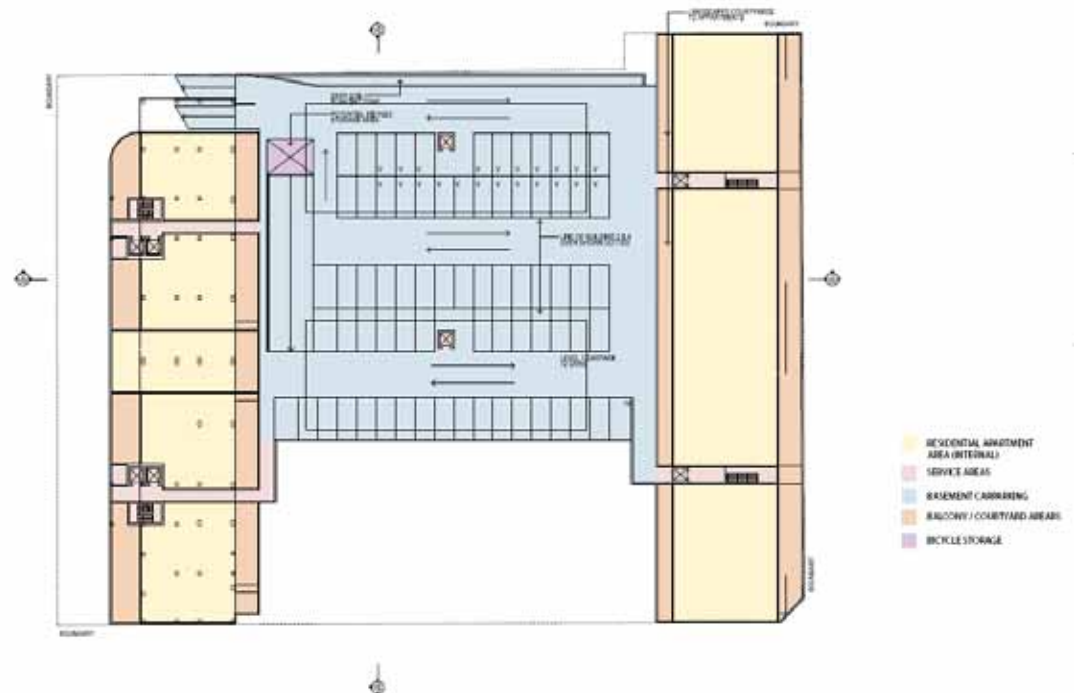


Figure 4: Basement layout



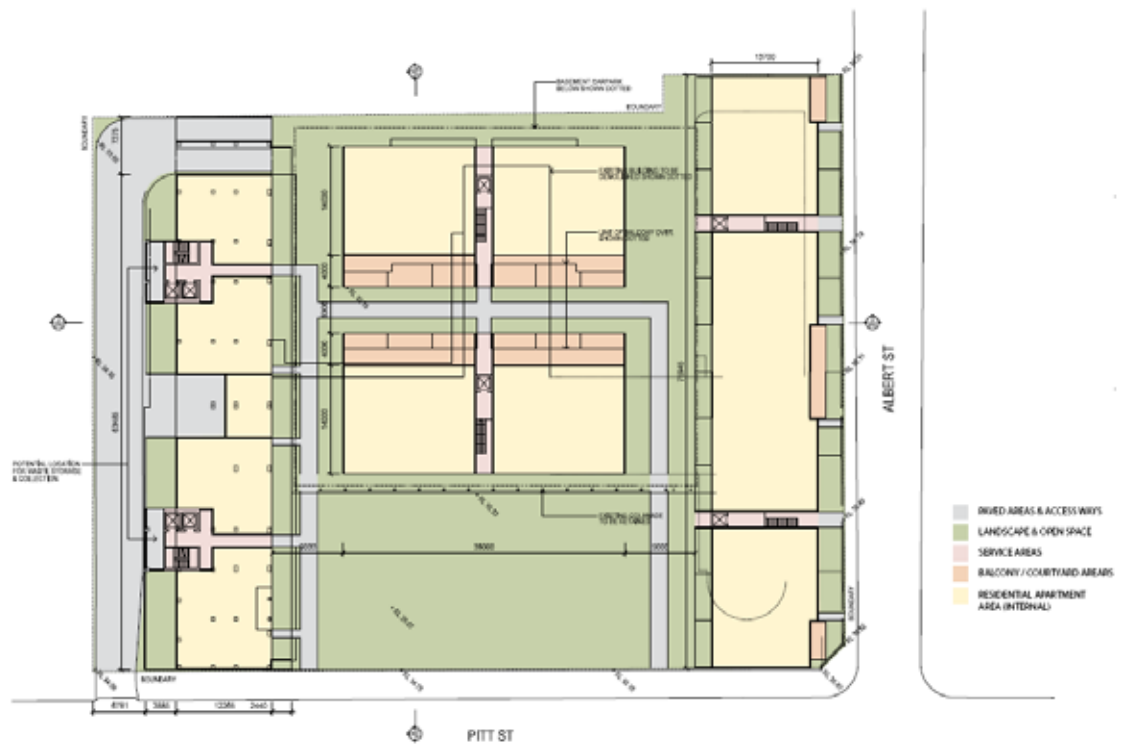


Figure 5: Level 1(ground) floor layout

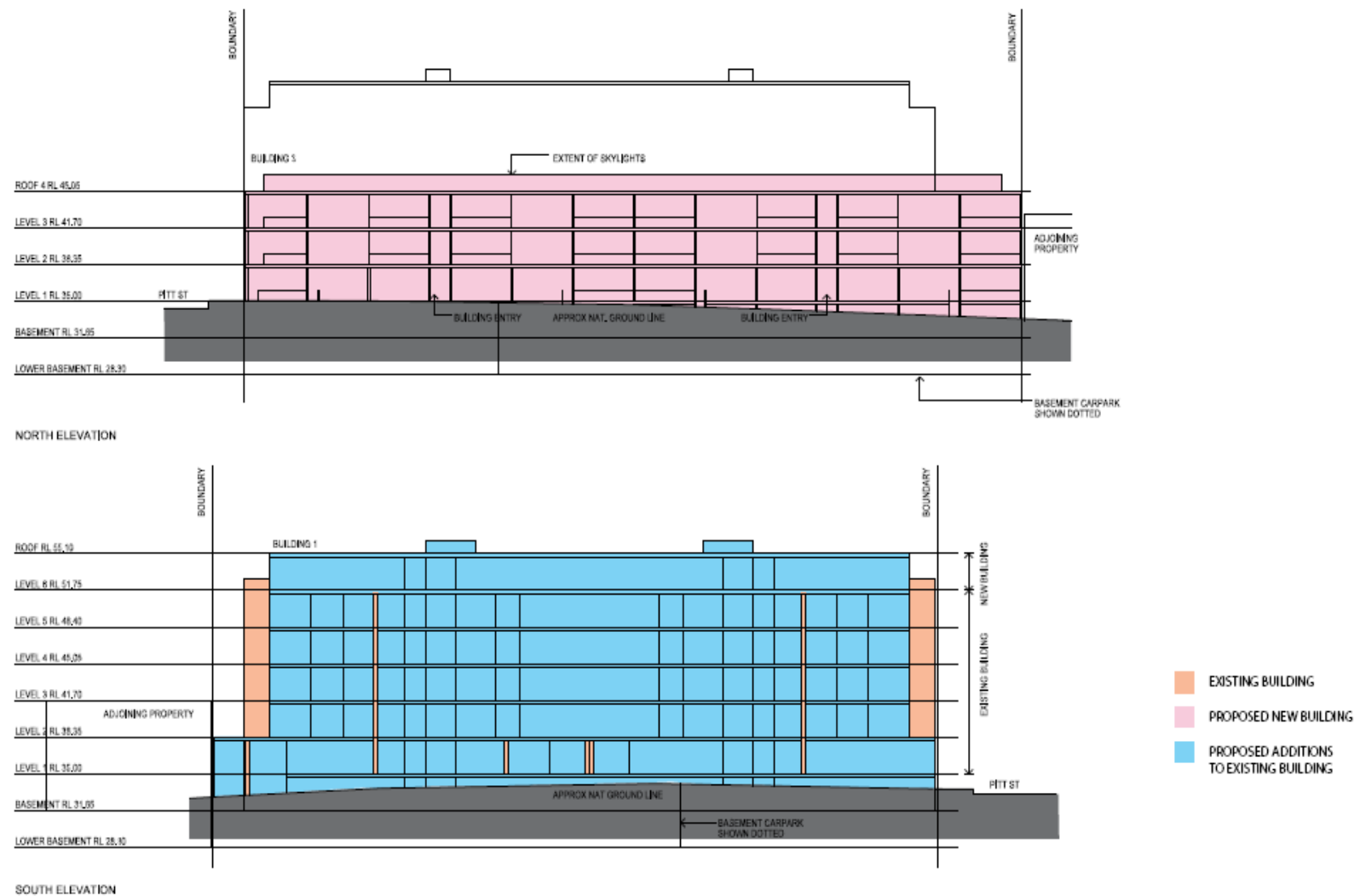


Figure 6: North and South Elevations



Figure 7: East (Pitt Street) and West Elevations

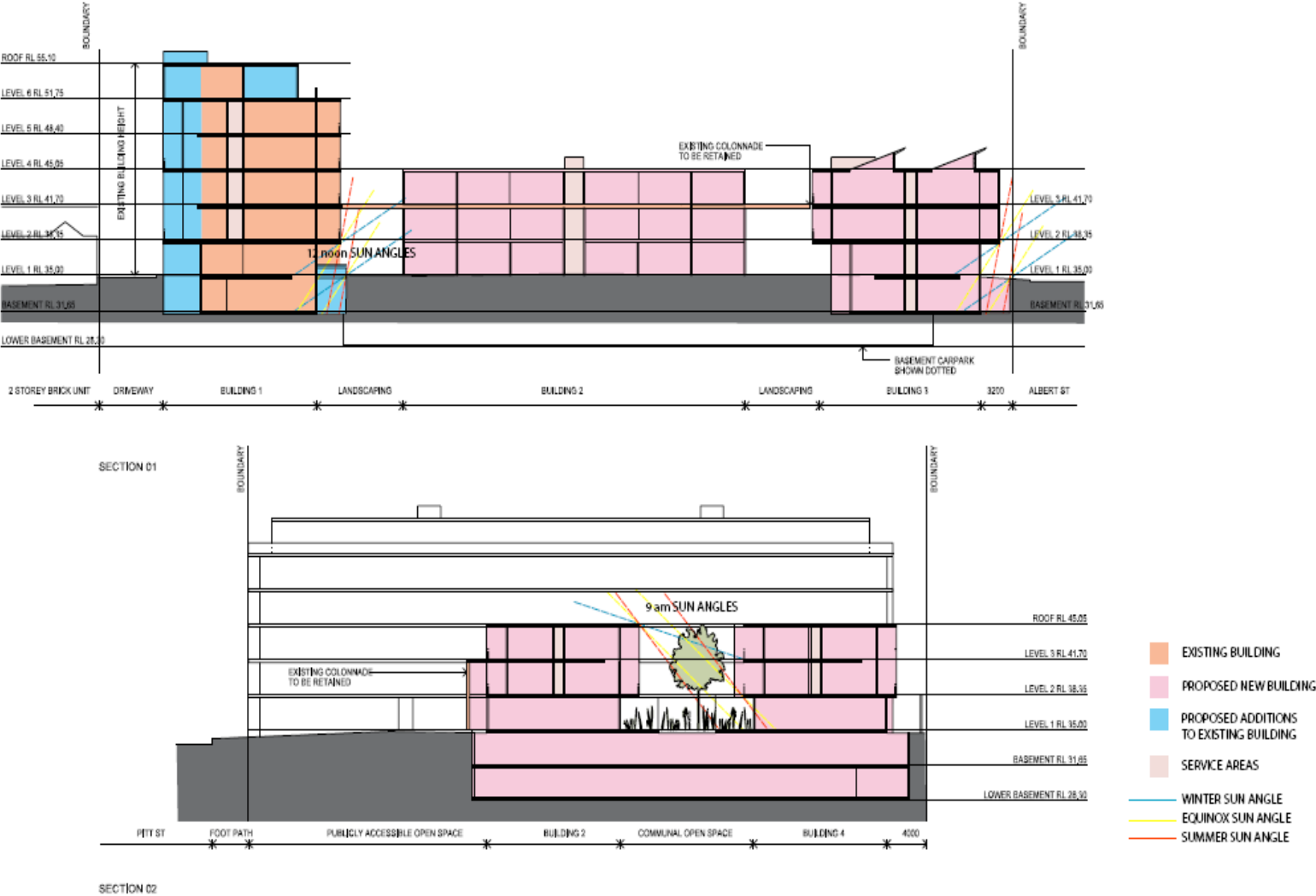


Figure 8: Sections



Figure 9: Landscape Concept Diagram, highlighting proposed public open space at the eastern part of the site

### 3.2 Project Chronology

- 1 March 2007 – request for Clause 6 opinion lodged with the Department.
- 18 April 2007 – Director-General, as delegate for the Minister, formed the opinion that the proposal is a Project to which Part 3A of the Act applies.
- 15 May 2007 – Concept Plan authorised by the Minister.
- 15 May 2007 – Director-General's Environmental Assessment Requirements signed by the Director-General's Delegate and provided to proponent.
- 29 June 2007 – Environmental Assessment (EA) lodged with the Department.
- 24 July 2007 – EA deemed adequate.
- 26 July - 31 August 2007 – EA placed on public exhibition.
- 14 September 2007 – copies of submissions provided to proponent (no response or Preferred Project Report required).

## 4 STATUTORY CONTEXT

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### 4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* as it has a Capital Investment Value of more than \$5 million and is of a kind described in Schedule 3, Part 5, (State Significant Site) as a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies. The opinion was formed by the Director-General as the Minister's delegate on 18 April 2007. Pursuant to Clause 75M(1) of the Act, the Minister gave authorisation for the Concept Plan on 15 May 2007.

### 4.2 PERMISSIBILITY

Under the MP SEPP, the site is zoned Residential – Medium Density Residential, which permits residential flat buildings. The proposal is consistent with the objectives of the Residential – Medium Density Residential zone and is permissible subject to the Minister's approval.

### 4.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs issued on 15 May 2007 required the following issues to be addressed:

- Statutory and General requirements
- Building design
- Overshadowing
- Ecologically Sustainable Development
- Heritage
- Safety / Public Domain / Landscaping
- Staging
- Dedication
- Traffic Impacts (Construction & Operational)
- Construction Impacts
- Contamination
- Stormwater and Water Sensitive Urban design
- Social and Economic Impacts
- Services/infrastructure and utilities

The DGRs are in Appendix A

The EA lodged by the proponent on 24 July 2007 was adequate for exhibition.

### 4.4 OBJECTS OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The objects of any statute provide an overarching framework that informs the purpose and intent of the legislation and gives guidance to its operation. The Minister's consideration and determination of a concept application under Part 3A must be informed by the relevant provisions of the Act, consistent with the backdrops of the objects of the Act.

The objects of the Act in section 5 are as follows:

(a) to encourage:

*(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*

- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) the protection, provision and co-ordination of communication and utility services,*
  - (iv) the provision of land for public purposes,*
  - (v) the provision and co-ordination of community services and facilities, and*
  - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
  - (vii) ecologically sustainable development, and*
  - (viii) the provision and maintenance of affordable housing, and*
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

Of particular relevance to the assessment of the subject application is consideration of the Objects under section 5(a). Relevantly, the Objects stipulated under section 5(a) (i), (ii), (iv), (vii) and (viii) are significant factors informing the determination of the application. The proposal does not raise significant issues with regards to (iii).

With respect to ESD, the Act adopts the definition in the *Protection of the Environment Administration Act 1991* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

The Department has considered the Objects of the Act, including the encouragement of ESD in the assessment of the concept application. The balancing of the application in relation to the Objects is provided in Section 5.

#### 4.4.1 ESD Principles

There are 5 accepted ESD principles:

- (a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations (the integration principle);*
- (b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation (the precautionary principle);*
- (c) the principle of inter-generational equity - that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations (the inter-generational principle);*
- (d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making (the biodiversity principle); and*
- (e) improved valuation, pricing and incentive mechanisms should be promoted (the valuation principle).*

The Department has considered the redevelopment in relation to the ESD principles and has made the following conclusions:

- a) Integration Principle – The environmental impacts of the development are appropriately mitigated as discussed in this report. The Department's assessment has duly considered all issues raised by public authorities, and the proposal as recommended for approval will not compromise a particular stakeholder or hinder the opportunities of others.
- b) Precautionary Principle – The proposal presents no threat of serious or irreversible environmental damage to the site or the wider locality.
- c) Inter-Generational Principle – The proposal represents a sustainable reuse of the site. The redevelopment includes an upgrade and reuse of an existing heritage building, which in conjunction with the new buildings and open space will provide a high quality residential environment.
- d) Biodiversity Principle – Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal.

Although the proposal recommends the removal of a number of existing trees on the site, it is proposed to replace these trees and also to retain some existing significant trees and incorporate them in the future landscape design of site.

- e) Valuation Principle – The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The proponent is committed to ESD principles and has reinforced this through the Draft Statement of Commitments and Environmental Assessment which explores key ESD opportunities, including but not limited to, the use of thermal mass building materials; building designs to take advantage of natural heating, natural light, ventilation and cooling opportunities; rainwater reuse and stormwater/grey waste water recycling, to ensure that a high level of environmental performance is delivered.

#### 4.5 Section 75I(2) of the Act

Section 75I(2) of the Act and Clause 8B of the Environmental Planning and Assessment Regulation 2000 provides that the Director-General's report is to address a number of requirements in the Director General Report. These matters and the Department's response are set out as follows:

<i>Section 75I(2) criteria</i>	<i>Response</i>
Copy of the proponent's environmental assessment and any preferred project report	The Proponent's EA is located on the assessment file
Any advice provided by public authorities on the project	All advice provided by public authorities on the concept for the Minister's consideration is set out at Appendix B.
Copy of any report of a panel constituted under Section 75G in respect of the project	No statutory independent hearing and assessment panel was undertaken in respect of this concept application.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the concept is identified immediately below.
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instrument is provided in section 4.6 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the concept application is this report in its entirety.
<i>Clause 8B criteria</i>	<i>Response</i>
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest is discussed in section 5.9 of this report.
The suitability of the site for the project	The site is identified in the Redfern-Waterloo Built Environment Plan to be redeveloped for medium density residential uses.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A summary of the issues raised in the submissions is provided in section 6.3 of this report. Copies of all submissions received is provided in Appendix B.

Table 1 - Section 75I(2) requirements for Director-General's Report



## 4.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

### 4.6.1 Application of EPIs to Part 3A projects

To satisfy the requirements of section 75(2)(d) and (e) of the Act, this report includes references to the provisions of the environmental planning instruments that govern the carrying out of the project and have been taken into consideration in the environmental assessment of the concept application.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005 – The Redfern-Waterloo Authority Sites
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- Standard Instrument (Local Environmental Plans) Order 2006 (for definitions only)

Other controls to be considered in the assessment of the proposal are:

- The Redfern-Waterloo Built Environment Plan (Stage One) August 2006.

The provisions, including development standards of local environmental plans, and the Built Environment Plan (BEP) are not required to be strictly applied in the assessment and determination of major projects under Part 3A of the Act. Notwithstanding, provisions of the BEP are relevant considerations as the DGRs require the proponent to address the relevant provisions. Accordingly, in addition to the relevant SEPPs, the BEP is considered below.

### 4.6.2 State Environmental Planning Policy (Major Projects) 2005 –The Redfern-Waterloo Authority Sites

The MP SEPP applies to the project as discussed in section 4.1 of this report. The subject site is of state significance under Schedule 3, Part 5 of the MP SEPP, which sets out provisions relating to the Redfern-Waterloo development sites including zoning, height and floor space restrictions, design excellence, car parks, heritage, and the preservation of trees and vegetation.

#### Building Height

The built form on the site is controlled by maximum height and floor space ratio controls, which apply to the whole site. The maximum height permitted on the site varies from 3 storeys at the northern part of the site fronting Albert Street to 6 storeys on the central and southern sections of the site. The controls in the MP SEPP are intended to require maximum heights relative to the 2 major street frontages of the site, being 6 storeys to Pitt Street and 3 storeys to Albert Street.

The definition of storey within the MP SEPP is a space within a building between one floor level and the next but excluding lift shafts, mezzanines, basement levels or any space predominantly below a basement. A basement is defined as the floor level being predominantly below ground level (existing) and not protruding more than 1 metre above the existing ground level.

The existing ground levels on site, particularly towards the rear, have been significantly altered over the years and have been excavated to a level equivalent to approximately 1 storey below the levels of Pitt and Albert Street. The proposal seeks to utilise the existing basement level within the 5 storey building to be retained on site and proposes a 4 storey building to Albert Street, of which the lowest level is a storey below the level of Albert Street for the majority of the frontage.

Due to the varied existing site ground levels, the 2 proposed buildings with basements do not strictly comply with the definition of 'basement' (in the western portion of the site) and are hence included as a storey. This results in a non-compliance with the maximum height control for the existing building to be retained (which is a

total of 7 storeys but presents as a 6 storey building to Pitt Street) and the new building fronting Albert Street (which is a total of 4 storeys but presents as a 3 storey building to the majority of the Albert Street frontage).

Clause 21(3) of Schedule 3 of the MP SEPP allows the Minister to approve a concept plan which exceeds the maximum height control. As this application is for a concept plan, the height restriction is not a prohibition in this instance. Given that the proposed envelopes achieve the intention of the MP SEPP and that the existing adaptively reused building will present as 6 storeys to Pitt Street, and the new building fronting Albert Street will present as 3 storeys, the proposed envelopes are acceptable and worthy of support.

#### Floor Space Ratio (FSR)

The maximum FSR permissible is 2:1. In respect of the proposed concept scheme and indicative layout, the redevelopment proposes a maximum FSR of 2:1 thus complying with this control.

#### Design Excellence

Clause 22 in Schedule 3, Division 3 requires new development to exhibit design excellence. As the proposal seeks concept approval only at this stage, a detailed assessment of design excellence cannot be undertaken at this stage however will be undertaken with the subsequent Project Application(s). The proponent has addressed compliance with the design excellence principles within the Draft Statement of Commitments and has also provided typical apartment layouts for all buildings on the site.

The proposed building envelopes and indicative apartment layouts, as well as the commitment to applying ESD principles to the project enables assessment at this stage to conclude that the subsequent project application will be capable of meeting the specific design requirements of the MP SEPP. A modification to the Concept Plan requiring the proponent to exhibit design excellence in accordance with Clause 22 is provided in the recommendation. The concept plan does not propose any building greater than 12 storeys in height and as such a design competition is not applicable.

#### Heritage Conservation

The existing 5 storey building at the southern edge of the site is identified as a heritage item under MP SEPP and will be retained as part of the redevelopment. Clause 27 of the MP SEPP does not apply to development under Part 3A of the EP&A Act, and heritage conservation is not strictly applicable in this instance. The proponent however seeks to retain the building and has therefore given consideration to the heritage significance of Building 1 and part of Building 2 in the Concept Plan proposal. The NSW Heritage Office acknowledges the proponent's efforts to protect the heritage significance of the site and makes recommendations to carry out archival recording of the site and buildings as well as the preparation of an Interpretation Plan as part of the Project Application and implemented as part of the redevelopment prior to the occupation of the buildings.

#### 4.6.3 State Environmental Planning Policy No. 55 – Remediation of Land

A preliminary assessment undertaken in November 2003 concluded that the site can be rendered suitable for residential use subject to the removal of contaminated surficial filling material in the eastern area proposed to be public open space, and the removal of contaminated soil present in the western part of the site as part of the bulk excavation process for the basement car park. A subsequent site inspection was undertaken in February 2007, confirming that no discernible physical changes had occurred at the site since the 2003 preliminary assessment.

The Draft Statement of Commitments includes a commitment by the proponent to remediate the site in accordance with the contamination assessment. Specifically, a Remediation Action Plan will accompany the subsequent Project Application, detailing how the site is to be remediated to a suitable level including the excavation and disposal offsite of any contaminated landfill.

#### 4.6.4 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings

As the proposal is for a Concept Plan at this stage, the proponent's EA does not provide a detailed assessment of the proposal against State Environmental Planning Policy No.65 – Design Quality of Residential Flat Buildings (SEPP 65). However, the proponent has provided building envelopes and indicative floor plans for

the various unit types that would enable a preliminary assessment against this SEPP. The following provides an assessment against the 10 principles of design in SEPP 65.

### *Ten Principles of Design*

#### *Principle 1: Context*

The proposal is consistent with the surrounding residential context, which comprises of attached residential terraces and multi unit housing. The site is located within easy access to public transport, commercial and retail precincts and a range of services and community facilities, making it suitable for residential development.

The concept proposal responds well to the heritage characteristics of the site whilst having regard to new infill development within an area that is undergoing renewal and change. The provision of public open space in part of the site provides a good response to the interface between the public and private domain.

The proposal is therefore deemed as satisfactory with respect to the surrounding context.

#### *Principle 2: Scale*

The Concept Plan has been configured such that the 3 storey building at the northern part of the site responds appropriately to the scale of buildings along Albert Street. The 2 buildings in the central part of the site are also 3 storeys in height and compatible with the scale of terrace housing along Pitt Street. The adjoining warehouse along the western boundary is at a similar scale and has a solid edge to George Street to the west. The proposed heights of buildings in the northern and central parts of the site are suitably considered and have regard to the existing scale of buildings along Pitt Street, Albert Street and George Street.

The existing 5 storey building in the southern part of the site has been a longstanding feature of the streetscape along Pitt Street, and sits alongside recent multi-unit residential development to the south. The Concept Plan proposes an additional storey to this building however it will be set back from the building edges thus minimising the impact of an additional floor to the street. Further, the closeness of buildings within the site combined with the existing colonnade feature, landscaping and existing surrounding residential dwellings creates a scale and form that can be easily read and understood from ground level without a sense of dominance or overdevelopment.

The proposal is satisfactory with respect to the principle of scale.

#### *Principles 3: Built Form*

The Concept Plan responds to the built form of the existing buildings on site and surrounding streetscape, by maintaining the 'H' shaped configuration of the original former hospital buildings and retention of the landscaped forecourt to Pitt Street in the form of public open space.

The proposed built form is consistent with the surrounding built form of terrace dwellings and townhouses along Pitt and Albert Streets, whilst also maintaining the heritage integrity of the site. The proximity of buildings is consistent with that of surrounding residential development and of inner city living.

The new buildings on the site have been located to take advantage of distant and local views, whilst maintaining good solar access. Individual ground floor access to apartments is made possible due to building siting and location.

The built form is consistent with the design concept outlined for the site in the Redfern-Waterloo Built Environment Plan (Stage 1) and as such the proposal is considered to be satisfactory with regard to this design principle.

#### *Principle 4: Density*

The density control on the site is a maximum floor space ratio (FSR) of 2:1, as required by the MP SEPP. The concept application proposes a maximum FSR of 2:1 and therefore, complies with this requirement. Based on this FSR, the maximum gross floor area that can be achieved for the site would yield in the order of 150 apartments on the site. The Concept Plan seeks approval for the maximum allowable FSR for the site.

The appropriateness of the density is based on urban analysis undertaken as part of developing the Redfern-Waterloo Built Environment Plan, and is supported by the locational benefits of the site. Further, an assessment of traffic generated by the proposed development will not have adverse impacts on the locality, and the basement car park can adequately accommodate the demand generated by the number of apartments proposed on the site.

The proposal is satisfactory with respect to the principle of density.

***Principle 5: Resource, energy and water efficiency***

Resource efficiency is considered within the concept plan with the retention and adaptive reuse of the existing 5 storey Building 1.

Many of the issues regarding resource, energy and water efficiency will be resolved during the detailed design stage undertaken with a subsequent Project Application. The Concept Plan is intended to enable the achievement of water and energy efficient reduction targets and satisfaction of BASIX at the Project Application stage.

The general location and orientation of the buildings maximises sunlight, daylight and ventilation to reduce reliance on artificial heating and cooling. Building design and indicative apartment layout enables crossover apartments, which maximise natural ventilation and solar access.

The Concept Plan outlines a range of water conservation initiatives such as rainwater storage tanks which would be considered at Project Application stage.

The proposal is considered satisfactory with regard to the principle of resource, energy and water efficiency.

***Principle 6: Landscape***

A Landscape Concept Plan provides landscaping principles to guide further detailed design of the proposed open space and general landscaping throughout the site. Generally the landscaping principles seek to use landscape design to enhance connectivity and access across the site through a series of pathways and communal open space areas, whilst delineating between private and public space; to enhance security and safety for both residents and the public through the use of lighting and plantings, and to retain large, established trees where possible.

A detailed landscape plan will form part of the subsequent Project Application. The proposal is satisfactory with regard to the principle of landscaping.

***Principle 7: Amenity***

The majority of apartments will be north facing, located within Buildings 1 and 3. The indicative apartment layouts for the whole development ensures that 70% of apartments are capable of receiving 3 hours of sunlight to living areas and private open space between 9am and 3pm midwinter in accordance with the Residential Flat Design Code.

Private open space is proposed for all apartments, most being in the form of balconies that have a minimum depth of 2 metres.

The building layout provides opportunity for ground floor apartments to have direct access from the street and open space areas, whilst building separation ensures privacy between apartments.

***Principle 8: Safety and Security***

In general, the concept design will allow for good passive surveillance of the road networks, and public and private open space areas on the site. Attention will need to be given to the issue of safety and security in the detailed design with respect to the proposed basement and sub basement car parking areas, as well as entry points for apartments from the public open space areas.

### *Principle 9: Social Dimensions*

The Concept Plan will increase housing choices within the Redfern area. A mix of apartment types is proposed as shown in the indicative apartment layouts, to encourage a diverse social mix within the Redfern area and to sustain a vibrant community. Affordable housing provisions will also be addressed at the Project Application stage in accordance with the objectives for affordable housing as envisaged in the Redfern-Waterloo Built Environment Plan (Stage 1).

### *Principle 10: Aesthetics*

The external colours and materials of the proposal will be determined at the detailed design phase and are not a matter of consideration for the concept application. The Draft Statement of Commitments requires that the future Project Application demonstrates design excellence in terms of architectural design, materials and detailing, and overall building appearance. Furthermore, careful consideration of materials will be required to ensure the integrity of heritage items are maintained.

### *Residential Flat Design Code*

The proposal has also been assessed against the following primary development controls of the Residential Flat Design Code (the Code):

#### *Building depth*

The maximum apartment building depth permitted by the Code is 18 metres (glass line to glass line). The Concept Plan complies with this aspect and proposes buildings with the following depths:

Building 1 – 16.155 metres

Building 2 – 14 metres

Building 3 – 17.7 metres

Building 4 – 14 metres

#### *Building separation*

The Code requires separation for buildings up to 4 storeys in height ranging from 6 metres between non-habitable rooms, 9 metres between habitable rooms/balconies and non-habitable rooms, and 12 metres between habitable rooms/balconies. For buildings between 5 to 8 storeys in height, the separation distances range from 9 metres between non-habitable rooms, 13 metres between habitable rooms/balconies and non-habitable rooms, and 18 metres between habitable rooms/balconies. The Code also allows for separation controls to be varied in response to site and context constraints and setting. The following building separations are proposed:

Buildings	Description	Separation	Compliance
Building 1 to Buildings 2 & 4	Separation is up to 3 storeys only. Building 1 non-habitable rooms and balconies will predominantly face open space areas and side elevation walls of Buildings 2 & 4. Some apartments in Building 1 will face balconies of end apartments in Building 2 & 4.	9 metres	Yes
Building 2 & 4	Separation will be between habitable living areas and private open space, up to a height of 3 storeys.	10 metres	No <sup>1</sup>

Building 3 to Building 2 & 4	Building 3 non-habitable rooms will predominantly face open space areas and side elevation walls of Buildings 2 & 4. Some apartments in Building 3 will face end apartments in Buildings 2 & 4. <sup>2</sup>	7 metres	Yes
Building 1 & adjacent apartment development to the south	Non-habitable rooms in Building 1 will face adjoining residential development to the south.	10.165 – 14.218m	Yes
Building 1 and adjacent apartment development to the west (existing alignment, side wall positioned to rear of existing property)	Side elevation of Building 1 will face rear of residential development located to the west. <sup>3</sup>	Level 1 – 7.275m Levels 2-5 – 2.275m Level 6 – 5.478m	Yes
Building 4 to adjacent townhouse development to the west	Non-habitable rooms will face the rear courtyards of adjoining development to the west however, landscape screening is proposed along the western edge.	4 metres	No <sup>4</sup>
Building 4 to adjacent non-residential warehouse building to the west	Non-habitable rooms will face the rear of the warehouse building however a landscape buffer is proposed along the western edge.	3.7 metres	Yes
Building 3 to adjacent two-storey brick cottage on Albert Street	The western elevation will abut the dwelling house on Albert Street. It is envisaged that there will be no openings on the western elevation of Building 3 and there are no openings in the Albert St house.	Nil	Yes

<sup>1</sup> The building separation is non-compliant by 2 metres and is considered acceptable as the location of the buildings is restricted to that part of the site due to the need to retain the existing colonnade structure and provide a public park. The reduced separation distance between Buildings 2 and 4 is considered acceptable as they are proposed to be a maximum 3 storeys in height.

<sup>2</sup> End apartments in Building 2 & 4 that have a northern aspect may have side openings to maximise solar access. The separation distance between these apartments and Building 3 can be considered and assessed in detail at Project Application stage whereby windows can be offset and other measures introduced to minimise any loss of privacy.

<sup>3</sup> It is envisaged that there will be no side openings in Building 1 however end balconies may be in proximity to rear courtyards of adjoining development. The detailed treatment of end balconies to address the potential impacts on the adjoining residential development to the west will be assessed at the subsequent Project Application stage.

<sup>4</sup> Proposed landscaped screening will provide a buffer between non-habitable rooms of Building 4 and the rear courtyards of the adjoining townhouse development to the west. This landscape treatment is an appropriate response to the reduced separation distance and will provide a pleasant outlook to the rear courtyards of the townhouse development.

Given the location of the subject site, the retention of existing heritage elements, the location of existing surrounding residential development, and characteristic separation distances of surrounding development in the area, the proposed separation distances of Buildings 1, 2, 3 and 4 from the adjoining developments and within the site is considered acceptable. This is discussed further in Section 5.3 of the report.

#### 4.6.5 Draft State Environmental Planning Policy No. 66 – Integration of Land Use Transport

Draft SEPP 66 aims to ensure that new development achieve the following objectives:

- Improve accessibility to housing, employment and services by walking, cycling and public transport;
- Improving the closure of transport and reducing dependence solely on cars for travel purposes;
- Moderating growth in the demand for travel and distances travelled, especially by car;
- Supporting the efficient and viable operation of public transport services; and
- Providing the efficient movement of freight.

The proposal has been assessed having regard for the above objectives and is determined as being satisfactory for the following reasons:

- The site is highly accessible to existing public transport infrastructure including metropolitan and regional trains and buses, and opportunity exists for both residents and visitors of the development to make good use of the services provided, particularly for journey to work purposes.
- On-site parking in the Concept Plan is limited to 160 spaces, which is equivalent to about one parking space per apartment with provision for about ten visitor spaces. The time restricted resident exempt parking scheme in the area is another factor that would discourage users of the site from using a car.

#### 4.6.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX) aims to ensure new development and the major redevelopment of existing buildings incorporate sustainable residential development features to minimise the impacts upon the natural environment.

BASIX is applicable to this proposal however given this is a concept application a BASIX assessment cannot be undertaken by the proponent at this stage. A BASIX assessment will be required to accompany the subsequent Project Application.

#### 4.6.7 Standard Instrument (Local Environmental Plans) Order 2006

The Standard Instrument (Local Environmental Plans) Order 2006 (Standard Instrument) is only relevant to the proposal for the purposes of determining meanings or words or expressions referred to in the MP SEPP. This is relevant to the definition of storey which is discussed above. The proponent has used the definitions in the Standard Instrument where relevant within their Environmental Assessment.

### 4.7 OTHER PLANS AND POLICIES

The Proposal has been assessed against the following planning policies:

#### 4.7.1 Redfern Waterloo Built Environment Plan

The Redfern-Waterloo Built Environment Plan (BEP) was developed as a key driver for the Redfern Waterloo Authority (RWA) to assist in the social and economic revitalisation of the Redfern-Waterloo area. The BEP (Stage 1) is designed to provide a planning framework for the redevelopment of the RWA's strategic sites including the former Rachel Forster Hospital. Schedule 3 of the MP SEPP identifies these strategic sites and the key built form controls and also provides the statutory basis to guide their future development.

The site was zoned 'Special Uses – Hospital' under the South Sydney LEP, which restricted uses to hospital and supporting uses as well as permissible uses in adjacent zones. In this case, adjoining uses are predominantly residential and as such the BEP (Stage 1) adopted a residential land use concept for the site that is consistent with the surrounding land uses. It also allows for community uses in keeping with the residential use. The proposed land use zone under the BEP (Stage 1) is 'Residential Zone – Medium Density Residential' and has since been gazetted in the MP SEPP.

The Concept Plan proposal is permissible within the zone, does not exceed the floor space ratio control and is consistent with the height control, as discussed previously in this report. The Concept Plan demonstrates an

understanding of the site's context and responds sympathetically to the surrounding built form. The proposal has also considered and incorporated heritage listed items into project, thus ensuring the heritage significance of the site is continued and interpreted appropriately. The design concept has regard for future users of the site and makes a commitment to high quality building design, landscaping and ESD.

#### 4.7.2 Development Contribution Plan

In May 2007, the Minister for Redfern-Waterloo adopted the RWA Contributions Plan for the levying of development contributions for the provision of public facilities and infrastructure within the RWA's Operational Area, and therefore includes the subject site.

Under Clause 8 of the Contributions Plan, the Minister may impose, as a condition of consent to the carrying out of development to which the Plan applies, a requirement that the proponent pay a development levy of 2% of the proposed cost of carrying out the development, excluding the costs of development that is an adaptive reuse of a heritage item.

As approval is sought for a Concept Plan in this application, a s94A levy will be calculated, in accordance with s25J of the EP & A regulation 2000, at the subsequent Project Application stage.

Development of the site is also subject to the Redfern Waterloo Authority Affordable Housing Contributions Plan 2006. The contribution rate is applicable to the additional GFA of the new development. In this instance, the rate will apply to additional GFA which will be determined at Project Application stage. The floor area of the existing hospital is 13, 191m<sup>2</sup>.

## 5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

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Key issues considered in the Department's assessment of the Environmental Assessment includes the following:

- Building Form, Location & Landscaping
- Traffic Impacts, Transport, Parking & Access
- Residential Amenity
- Ecologically Sustainable Development
- The Public Domain, Safety & Security
- Site Contamination
- Heritage & Archaeology
- Social & Economic Impacts
- The Public Interest

### 5.1 BUILDING FORM, LOCATION & LANDSCAPING

#### 5.1.1 Building Envelopes & Setbacks

The proposed building envelopes have regard to the heritage significance of the site and existing 2 storey colonnade and 5 storey surgery building, which are identified as heritage items under the MP SEPP. The Concept Plan incorporates these items into the building layouts as well as maintaining the general 'H' configuration of the former hospital site, which results in the setbacks as proposed.

The existing street setbacks have been principally maintained. The proposed setbacks are considered appropriate given the proximity of existing residential development adjoining the site as well the contextual setting of the site within an established inner city locality where small separation distances are a feature characteristic, such as the terraces along Pitt Street. Further, the orientation of buildings within the site ensures that balconies do not face directly into other balconies or habitable and non-habitable rooms. The specific apartment layouts will be considered at the Project Application stage.

The treatment of the development at the corner of Pitt and Albert Streets is important and needs to appropriately address the corner of the site at that point as well as both street frontages. The existing building



is setback from this corner and has an atypical treatment with landscaping however the new development proposes a hard edge treatment.

A modification to the Concept Plan requiring the proponent to address the treatment of Building 3 at the corner of Pitt Street and Albert Street is provided in the recommendation to ensure that this issue is satisfactorily resolved at Project Application stage.

The proposed building envelopes and setbacks will not have any adverse impacts on the locality and are therefore considered satisfactory.

### 5.1.2 Building Height, Bulk & Scale

The Concept Plan proposal complies with the density controls for the site under the MP SEPP and will not result in loss of views or solar access to surrounding development. New buildings on the site are limited to a height of 3 storeys above street level whilst the additional storey to the existing 5 storey heritage building is proposed to be set back from the building edges so that its visual impact is minimised.

The relationship between the existing 5 storey building and new buildings on the site is considered acceptable as the proposal retains the general existing configuration of the site. The dense setting of an inner city neighbourhood is reflected in the positioning of buildings and interpretation of scale, whilst endeavouring to maintain an appropriate level of residential amenity.

The proposed heights across the site do not strictly comply with the maximum heights set out in Schedule 3 Clause 22(1) of the MP SEPP in all sections of the development, due to the definition of storey and retention of existing basement levels which, in some parts of the site, protrude more than 1 metre above the existing ground level of the site.

However, as the ground levels on the site have been significantly altered over the years with parts of the site a storey below street level, the intention of the control has been considered in this instance in that the proposed heights were intended to be 6 and 3 storeys above street level, being Pitt Street and Albert Street respectively.

The proposal achieves a 6 storey building height to Pitt Street and a 3 storey building height to the majority of the Albert Street frontage and, on this basis, is considered to comply with the intention of the height control. Notwithstanding, Schedule 3 Clause 22(3) of the MP SEPP permits a Concept Plan application to vary the maximum height control. As this application is for a Concept Plan and is assessed as being of an appropriate scale relative to the existing heritage building to be retained on site as well as the broader locality, the proposed heights are acceptable and worthy of support.

It is noted that the MP SEPP permits the majority of the site to be developed to 6 storeys, with only the northern Albert Street building limited to 3 storeys. The current application seeks to mainly develop 3 storey building forms on the site in order to ensure that the amenity and solar access of the future dwellings will be maximised, and propose a 6 storey height in the southern portion of the site only. This approach is considered to achieve a superior outcome for the site both in terms of scale and amenity.

Detailed design and articulation of each building will be provided at the Project Application stage, however the proposed bulk and scale of each new building is considered an appropriate response to the site and surroundings.

### 5.1.3 Open Space, Landscaping & Trees

The Concept Plan proposes a large public open space area (approx. 1,060m<sup>2</sup>) as part of the redevelopment of the site, which is located at the eastern edge of the site facing Pitt Street. The provision of this space enables the retention of the existing courtyard arrangement and large trees that are currently located on the site. The open space area also allows for a gradual transition from the street to the residential flat buildings and allows users of the site opportunity for casual surveillance.

The Landscape Concept Design nominates various principles to guide further detailed design of the proposed open space and general landscaping throughout the site. A detailed landscape plan will be assessed at the Project Application stage.

The proponent's arborist has assessed 19 trees as part of the Concept Plan proposal, including 2 trees on the adjoining property to the south within proximity to the common property boundary, and identifies 8 trees for removal because of direct impact from the proposed development, and as such new trees for the site will be addressed in a future detailed landscape plan. The City of Sydney Council has raised concern about the removal of the Brushbox and Jacaranda trees, in order to facilitate the construction of the proposed development. The proponent's arborist report has assessed the Brushbox, as having high landscape significance, but upon inspection reveals that junctions of the trunks are a weak point in the tree's structure with increased risk of failure. Similarly, the Jacaranda is also of high landscape significance but the tree displays signs of structural instability with potential for decay. Both trees are estimated as having a limited life span. The fact that these 2 trees are in the location of the proposed building envelopes, and given the arborist's conclusions, they are not considered significant enough to warrant an amendment to the proposed building footprints.

Of these 8 trees identified for removal, 2 trees have been recommended for removal regardless of the proposal because one of the trees is a noxious weed and the other displays signs of structural instability due to its proximity to the existing building. A total of 4 trees have been recommended for removal because of their low to moderate landscape significance and poor/declining health, structural condition or unsuitability to the site. The report identifies a further 3 trees that could potentially be impacted by the proposed development, including the two trees within the common property boundary on the southern side. The report recommends that if the existing driveway levels can be retained then impacts on these trees can be minimised. A modification to the Concept Plan requiring the proponent to consider the retention and protection of these 2 trees is provided in the recommendation.

It is proposed that these recommendations be incorporated in landscaping details forming part of a subsequent project application. The retention of large, mature trees within the public open space area along the Pitt Street boundary will soften the impact of the new built form and provide a garden setting to the street.

Overall, the Concept Plan has addressed the key issues of tree removal and the location of public and private open space across the site and is considered satisfactory.

## 5.2 TRAFFIC IMPACTS, TRANSPORT, PARKING & ACCESS

### 5.2.1 Car Parking & Access

The Concept Plan proposes 2 basement levels of car parking for approximately 160 vehicles, with additional space allocated for bicycle storage. The basement car park is proposed to be accessed along the existing 6.6m wide combined entry/exit driveway along the southern boundary of the site, directly from Pitt Street.

The provision of on-site parking for the development is necessary as a significant proportion of surrounding land uses comprise of older style housing of which many do not have access to off-street parking. A resident exempt Council parking scheme applies to surrounding streets to enable residents to have access to kerbside parking however, residents of the proposed development will not be eligible to participate in this parking scheme.

Assessment undertaken by the proponent's transport and traffic consultant concludes that the proposed number of parking spaces is considered adequate and will be sufficient to ensure that the normal day to day parking demands generated by the development do not impact on the accessibility to on-street parking for neighbouring residents and business owners.

The City of Sydney Council raised concerns about the driveway access width being capable of safely accommodating a large number of vehicular movements and as such requested that the vehicle entry point be redesigned to have a separate entry of 6 metres and a separate exit of 4 metres width with a 2 metre separation. This cannot be achieved without demolishing part of the existing heritage item, and it is not supported.

Assessment undertaken by the proponent's transport and traffic consultant concludes that the driveway width as proposed will enable non-conflicting two-way movements and sufficient width for delivery vehicles up to 10.5 metres in length to enter and depart the site in a forward direction. The report states that based on the RTA 'Guide to Traffic Generating Developments' the scale of the proposed development will generate AM and PM peak period traffic generation of some 44 movements per hour, comprising of 10 vehicles entering the site/34 vehicles exiting the site at AM peak period and 33 vehicles entering the site/11 vehicles exiting the site at PM peak period.

Car parking numbers will be determined at the Project Application stage when the number of apartments are finalised. The proponent's Draft Statement of Commitments proposes to undertake further traffic assessment at the Project Application stage and will design parking and access requirements in accordance with the relevant Australian Standard. This is considered to be acceptable response to managing any perceived vehicular conflict on the site.

### 5.2.2 Transport

The site is located within proximity to Redfern railway station and high frequency bus services along Redfern and Regent Streets.

The high accessibility of public transport to the site, if utilised by residents of the site, will reduce the number of vehicle movements in and out of the site thus easing congestion on the local road network.

### 5.2.3 Traffic Impacts

Whilst data is not available for traffic movements generated by the Rachel Forster Hospital, surveys have been undertaken by the proponent's transport and traffic consultant of the Concord and St George Hospitals to estimate the morning, evening and peak vehicle trips generated by the site's former hospital use to analyse and compare traffic impacts proposed by the redevelopment of the site.

The traffic generation rates within the RTA's 'Guide to Traffic Generating Developments' indicate that the former hospital use would have generated morning, evening and peak vehicle trips of 43, 95 and 105 vehicle trips per hour, respectively. Using the same RTA Guide, the proponent's traffic and transport consultant has determined that the proposed residential development will generate 0.29 trips per apartment, indicating an AM and PM peak period traffic generation of some 44 movements per hour, which is considerably less than what was previously generated when the site was occupied by a fully operational hospital. This level of activity is not unlikely to result in any adverse impacts on the surrounding road network.

Accordingly, the proposal will not result in any adverse operational or environmental impacts on the existing road network and can be readily accommodated.

It is noted that the RTA and City of Sydney Council have raised no concerns in relation to the traffic impacts as a result of the proposal. Therefore the Concept Plan is satisfactory with respect to traffic generation and will not have a negative impact on the locality.

## 5.3 RESIDENTIAL AMENITY

### 5.3.1 Visual Privacy

The building setbacks as proposed will not result in any overlooking of external or indoor living areas to adjoining properties or to apartments within the site. Indicative apartment layouts propose private open space such as balconies, terraces and courtyards to have views to streets and communal open space areas up to a height of three storeys above natural ground level. Apartments located above this height will have long distance views to the surrounding neighbourhood.

Indicative apartment layouts in buildings that are proposed to be built up to the site boundary and adjoining existing development do not show side elevation openings so as to avoid potential overlooking and loss of privacy. The existing heritage listed Building 1 is considerably set back from the adjoining development to the south, whilst a deep soil landscaped area is proposed as a screen buffer between Building 4 and adjoining development to the west.

The level of visual privacy provided by the proposed Concept Plan is considered acceptable.

### 5.3.2 Solar Access & Overshadowing

#### *Impact on proposed residential buildings*

The majority of the apartments are located within Buildings 1 and 3, which have a northern orientation ensuring that at least 70% of apartments receive solar access. Apartments likely to receive a lesser amount of solar access are those proposed to be located at ground and first floor level of Buildings 2 and 4 due to their east-west orientation. Indicative apartment layouts propose apartments in these two buildings that utilise the full depth of the building and allow for cross-over apartment design which will ensure a high level of amenity and flexibility. Indicative solar angles indicate that adequate solar access is received to the proposed building envelopes and a detailed assessment of solar access to each apartment will be undertaken at the Project Application stage.

It is considered that the proposed development will provide an acceptable level of solar access to apartments and open space areas within the site and that the envelopes proposed will not significantly impact the adjoining residential development to the south and west.

#### *Impacts on adjoining developments*

Shadows cast by the proposed development is relatively minimal due to the height of the existing building on the site with only a one storey increase, and the restriction of the remaining new buildings to a three storey scale. Existing overshadowing of the adjoining residential development to the south is largely from the existing five storey building (Building 1) and the adjacent existing residential apartment buildings overshadowing themselves.

Overshadowing from the 3 new proposed building envelopes are generally contained within the site, and overshadowing of communal open space areas is offset by the large area of public open space which will be accessible to residents of the development.

Assessment of overshadowing has been undertaken on summer solstice, equinox and winter solstice and is considered to not adversely impact upon existing levels of solar access enjoyed by adjoining residential development.

#### *Midwinter overshadowing (21 June)*

At 9am additional shadows from the development will be cast to an additional level of apartments within three buildings in the adjacent residential development to the south (4 apartments) to predominantly non-habitable rooms. Habitable rooms and balconies to 2 of the affected apartments will be impacted. Also impacted at this time will be the rear elevation (non-habitable rooms) of the 2 storey townhouses to the west. By 10am, the impacted apartments in the adjoining development will have solar access and the upper level of the townhouse development will also have solar access.

At 12 noon the proposal will overshadow the balcony and window area of approximately 3 apartments in the north-western corner of the adjacent residential development. The affected areas are predominantly west facing and will receive solar access between approximately 1.30pm and 3.00pm. By 1pm the additional shadows do not impact on these apartments, and cast shadows on non-habitable windows only.

At 3pm the proposal will impact upon 5 windows to apartments in the western elevation of the adjoining development. It is noted that this is a partial impact for 4 of the windows and that the affected apartments have solar access to their principal living and balcony areas at this time.

#### *Equinox overshadowing*

At 9am at the Equinox the development will cast additional shadows upon part of the upper level of the 2 storey townhouses that immediately adjoin the property boundary with the subject site. These openings received solar access by approximately 11.30am. Three other 2 storey townhouses in the adjacent development, located to the west of the site, are also impacted to their upper level. Windows impacted are a mix of habitable and non-habitable. It is noted that the apartments impacted by the development at mid winter are unaffected at this time of year.

At 12 noon the development will cast additional shadows to the ground floor level openings of the 2 storey townhouses that immediately adjoin the property boundary with the subject site. These shadows are slightly reduced at 1pm.

By 3pm additional shadows are predominantly cast within the site, by Building 4 onto Building 2, and Building 3 onto communal open space areas and there is no impact to the adjacent residential development.

The impacts of additional overshadowing resulting from the proposed building envelopes are minimal and will ensure a satisfactory level of solar access is retained throughout the year to both adjoining developments and buildings within the site and are considered to be acceptable.

## 5.4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

As detailed in section 4.4.1 of this report, the Concept Plan is committed to achieving ESD objectives, and this is stated in the Draft Statement of Commitments. In this regard, the features of the proposal include but are not limited to:

- Provision of high thermal performance materials for the new buildings and in those areas of refurbishment in the existing building.
- Design of new buildings to encourage natural heating and cooling.
- Design of roof forms to capture natural light and ventilation.
- Maximising the collection and reuse of rainwater on the site and providing appropriate landscaping that requires low water use.
- The placement of a majority of apartments to face north thus utilising passive solar design principles.
- Use of solar shading devices.

The proponent has demonstrated at this Concept Plan stage their commitment to achieving a development that is ecologically sustainable. The Concept Plan proposal is therefore considered to satisfactorily address this issue.

## 5.5 THE PUBLIC DOMAIN, SAFETY & SECURITY

The Concept Plan has considered the public domain environment of the site and the safety and security of the site and its users in the designing of the buildings, open space and landscaping. Specifically, the principles of Crime Prevention Through Environmental Design (CPTED) have been considered as follows:

- The location of buildings on site ensure sightlines are achieved between public and private spaces. In this regard, the provision of detached buildings promotes sightlines from Pitt Street through the site to the western boundary. The location of buildings, wrapped around the proposed public open space promotes casual surveillance of the private and public realm.
- The proposed use of lighting and landscaping to create safe places for residents and users of the site.
- The use of physical barriers such as landscaping and security fencing to delineate between the private and public domains.
- The provision of public open space that is accessible to both residents of the site as well as the general public will reinforce the safety and security of that space as well as promoting a sense of ownership.
- A proposed Strata Management scheme for the apartments will ensure the ongoing maintenance of the site whilst the public open space, once dedicated, will be managed by the City of Sydney Council.

Whilst the details of the development will be considered and resolved at project application stage, the overall layout of buildings and open space has been considered with regard to the existing heritage items and the need to provide a residential environment that will function in an aesthetically pleasing, safe and secure setting. The proposal is considered to be satisfactory in regard to safety, security and the public domain.

## 5.6 SITE CONTAMINATION

As discussed in section 4.6.3 of this report, in accordance with SEPP 55, the proponent has made a commitment to remediate the site in accordance with the contamination assessment and has demonstrated that the site is suitable for residential use. Specifically, a Remediation Action Plan will accompany any subsequent

Project Application, detailing how the site is to be cleaned up including the excavation and disposal offsite of any contaminated landfill.

## 5.7 HERITAGE & ARCHAEOLOGY

### 5.7.1 European Heritage

The 5 storey, former surgery building referred to as Building 1 and the 2 storey colonnade structure fronting Pitt Street will be retained and incorporated into the new development. The heritage impact statement (HIS) undertaken by the proponent's heritage consultant reveals that much of the site's importance is vested in the social significance of the hospital use and medical services provided to the community. The HIS recommends that this significance is best maintained and recognised through a comprehensive interpretation strategy, which would form part of a Conservation Management Plan.

The retention and incorporation of heritage items in the redevelopment of the site is essential as it maintains the formal composition of the east elevation of Building 1 and also the understanding of the relationship between the colonnade and the horizontality of Building 1. The retention of the landscaped forecourt in the form of public open space and the basic 'H' configuration of the buildings also maintains the essential characteristics of the site.

The NSW Heritage Office is generally supportive of the approach adopted by the proponent to ensure that the associative, cultural and aesthetic significance of the site and buildings is considered in the Concept Plan.

The Department accepts the assessment of heritage by the proponent's expert and the associated draft statement of commitments with respect to this issue.

### 5.7.2 Archaeology

An archaeological assessment of the site reveals remnants of a well structure in the east side of the basement in the former central building. As discussed in section 6.4.2, the NSW Heritage Office is satisfied with the assessment presented and recommends that archival recording of the site be undertaken as well as an Interpretation Plan.

The area of archaeological potential identified in this expert assessment is limited to the eastern frontage of the site and will not be affected by the Concept Plan proposal. Further investigation of this area is recommended to determine the significance of this area.

Archaeological investigation of the site identified the remains of a well centrally located on the east side of the basement in the former North Wing building of the hospital. The well has been identified in an area that is a localised remnant of the upper portion of soil deposits that existed at the site prior to construction of the hospital building. The remains of the well and other structures present on-site before hospital construction were enclosed within the basement by excavation undertaken to establish building footings and basement slab. Soil deposits within the location of the identified well structure would be directly impacted by the Concept Plan proposal however, the NSW Heritage Office is satisfied that appropriate archival documentation of this area and subsequent interpretation will adequately address its significance.

### 5.7.3 Aboriginal Heritage

The Archaeological Assessment concludes that the significance of any Aboriginal sites within the localised remnant soil landscape below the historic relics identified cannot be determined without further archaeological investigation and consultation. As such, the proponent has outlined in their Draft Statement of Commitments that an Aboriginal Heritage Impact Assessment will be undertaken at the Project Application stage.

## 5.8 SOCIAL & ECONOMIC IMPACTS

The proposal will deliver a number of important social and economic benefits, including:

*Heritage Conservation* – the historical, social and aesthetic importance of the former Rachel Forster Hospital will be respected and incorporated into the new residential development through adaptive reuse and preservation of proposed open space.

*Housing* – the new development will provide increased housing and offer housing choice within proximity to public transport, community facilities, and employment, commercial and retail centres.

*Public Open Space* – the provision of public open space will be a direct benefit to the community.

*Community Health* – proceeds from the sale of the development will be used to develop a new community health centre in the Redfern area, which will have benefits to the wider community.

*Jobs* – new jobs will be created during the construction phase of the development.

The proposed development will generate use on a currently disused parcel of government owned land, which will have positive social and economic impacts to the community as outlined above.

## 5.9 PUBLIC INTEREST

The proposed redevelopment of the former Rachel Forster Hospital site will provide significant benefits to the community, including:

- Provision of housing choice.
- Employment opportunities through the construction phase of the development.
- Provision of a new community health facility with the proceeds of the site's sale.
- Provision of public open space.

The development also incorporates the adaptive reuse of an existing heritage building on the site as well as a heritage listed structure, ensuring that the heritage significance of the site is retained and interpreted sympathetically.

The proposal has also given detailed consideration to building form and urban design to ensure that the development will not have any adverse impacts upon the amenity currently enjoyed by the local community.

Accordingly, the proposal is considered in the public interest for the above reasons.

## 6 CONSULTATION AND ISSUES RAISED

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### 6.1 PUBLIC EXHIBITION DETAILS

The major project application was exhibited from 26 July 2007 to 31 August 2007 for 37 days and was published in the newspaper. The EA was made available to the public in the Department's Information Centre and at the City of Sydney Council's Town Hall House office as well as the Redfern Neighbourhood Centre.

### 6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

The Department received a total of 4 submissions, all from public authorities being:

- City of Sydney Council;
- NSW Heritage Office;
- Sydney Water; and,
- NSW Ministry of Transport.

The issues raised are summarised below.

### 6.3 SUBMISSIONS FROM PUBLIC AUTHORITIES

The following submissions were received from public authorities:

### 6.3.1 *City of Sydney Council*

The Council has made comments with regard to apartment mix and provision of affordable housing, height, waste management, residential amenity, BASIX, parking and access, and landscaping.

Council recommends that Building 1 should not be further increased in height so as to comply with the height control at that part of the site and to protect the amenity of existing residential amenity of development to the south.

The proposal demonstrates compliance with the intent of the height control and that the additional storey to Building 1 will not have any adverse impacts to adjoining development to the south by way of overshadowing or overlooking as it is proposed to be set back from the building edge.

Council also raises concern about the proposed driveway access width at the entry/exit crossing to the site and its ability to carry two-way vehicular movement safely. The proponent's traffic and transport consultant has assessed the driveway width to be of an adequate width for two-way vehicular movement and that potential for conflict will be minimised as vehicular movement in peak periods of the day will be predominantly in one direction, however a Statement of Commitment requires a further traffic study to ensure that the driveway access complies with the relevant Australian Standard. This detail will be resolved at the Project Application stage.

Of the trees identified as significant by Council, only 2 are to be removed to facilitate the redevelopment. The removal of these trees is considered acceptable as the proposal retains all other trees on the site that will not be directly impacted by the redevelopment.

### 6.3.2 *NSW Heritage Office*

The NSW Heritage Office acknowledges the proponent's efforts to protect the heritage significance of the site by retaining the surgery building and colonnade structure and incorporating them into the Concept Plan. It is also acknowledged that the remaining built fabric will be lost by the development proposal, including the remnants of a well in the basement, however the Heritage Office makes recommendations for the proponent to carry out archival recording of the site and buildings prior, during and after demolition, as well as an Interpretation Plan to be prepared as part of the Project Application and implemented as part of the redevelopment prior to the occupation of the buildings.

It is also recommended that the remains of the well be retained and interpreted however, upon inspection it is noted that the part of the remaining well structure is illegible to a large extent and a redesign of the proposal to retain the structure is not justified.

### 6.3.3 *NSW Ministry of Transport*

The Ministry of Transport has provided comments on the Concept Plan with regard to cumulative transport impacts of the development, provision of on-site parking, developing a transport access guide, identification of walking and cycling connections to other sites, and consistency with the objectives of Draft SEPP 66 – Integrating Land Use and Transport.

With regard to the comments made, the proposed Concept Plan demonstrates in its assessment of traffic and parking implications that traffic generated from the development will be considerably less than that generated by the previous hospital use and the impact on the locality will be reduced. Parking on the site has been established at approximately one parking space per apartment with provision for additional visitor parking. This parking rate is not considered to be excessive and will be further defined at the Project Application stage.

The Concept Plan provides opportunities for pedestrian connections from the site to the surrounding road network and the proposed development does not hinder any linkages to other sites and streets in the locality. The absence of a pedestrian link through the site to Albert Street does not lessen the opportunity for pedestrian accessibility via Pitt Street, which is the development's main address and point of access.

As discussed in section 4.6.5, the proposed Concept Plan satisfactorily meets the objectives of the Draft SEPP 66, and has been considered in relation to the transport strategy outlined in the Redfern-Waterloo Built Environment Plan (Stage One).



#### 6.3.4 Sydney Water

Sydney Water had no objection to the proposal however advised that when landscaping the site the proponent consider tree species that will not impact adversely on Sydney Water pipe infrastructure. The submission also advised that the proponent will require a Section 73 Compliance Certificate and will need to ensure that the fire fighting capacity of the existing services has been appropriately addressed. These issues will be dealt with during the assessment of the project application. Sydney Water supports the proponent's commitment to water sensitive urban design and ESD and is prepared to work with the proponent in achieving these outcomes for the site.

## 7 CONCLUSION

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The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions relate to building height, heritage, traffic, parking and vehicular access. The Department has determined that the proponent's response to the key issues in their EA and Draft Statement of Commitments will ensure there are minimal environmental impacts as a result of the proposal.

Key features of the Concept Plan proposal includes the adaptive reuse and upgrade of the existing heritage building and colonnade structure, and the provision of an area of dedicated public open space. The public benefit of the redevelopment is highly desirable, with proceeds from the sale of the site directed toward the provision of a new community health centre in Redfern.

The Concept Plan application has demonstrated general compliance with the height and density controls in the relevant environmental planning instruments and has given adequate consideration to the site's capability to accommodate this type of development. The intent of the proposal meets the objectives identified for the site in the Redfern-Waterloo Built Environment Plan (Stage 1) and complies with all relevant provisions within the MP SEPP that relate to the Redfern-Waterloo Sites.

The Department has determined that the site is suitable for the proposed development and is in the public interest. Accordingly, the Department recommends that the Concept Plan be approved, subject to the modifications recommended in Appendix.

## 8 RECOMMENDATION

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For concept plan application:

It is recommended that the Minister:

- (A) consider the findings and recommendations of this report;
- (B) approve the concept plan application, subject to modifications, under section 75O *Environmental Planning and Assessment Act, 1979*, and
- (C) sign the Instrument of Approval (tag A).

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## APPENDIX A. DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

### Director-General's Requirements

#### Section 75F of the *Environmental Planning and Assessment Act 1979*

Application number	07_0029
<b>Project</b>	Concept Plan for the Proposed Redevelopment of the former Rachel Forster Hospital site for residential purposes
<b>Location</b>	Lot 7 in DP 664804, 134-150 Pitt Street, Redfern
<b>Proponent</b>	Redfern Waterloo Authority
<b>Date issued</b>	15/5/2007
<b>Expiry date</b>	15/5/2009
<b>General requirements</b>	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. an executive summary;</li> <li>2. demonstration as to how the development, when completed, will achieve the objectives of the SEPP (Major Projects) 2005 Schedule 3, The Redfern-Waterloo Authority Sites – Residential – Medium Density Residential;</li> <li>3. Landowners' consent for the development site;</li> <li>4. description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances);</li> <li>5. details of the proposed layout, land uses, size and scale of the main components of the development, FSR, height (AHD);</li> <li>6. details of the methodology used for the calculation of the FSR in accordance with the relevant Environmental Planning Instruments (EPI);</li> <li>7. an assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified below;</li> <li>8. a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;</li> <li>9. a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;</li> <li>10. a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest;</li> <li>11. a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is not false or misleading; and</li> <li>12. a Quantity Surveyor's Certificate of Cost to verify the capital investment value (CIV) of the project calculated in</li> </ol>

	accordance with the definition of CIV (EP & A Regs., 2000)
<b>Key issues</b>	<p>The Environmental Assessment must address the following key issues:</p> <p><b>1. Relevant EPIs and Guidelines to be addressed</b></p> <ul style="list-style-type: none"> <li>Planning provisions applying to the site, including permissibility and the provisions of all EPI's and policies including: <ul style="list-style-type: none"> <li>Standard Instrument (Local Environmental Plans) Order 2006;</li> <li>SEPP (Major Projects) 2005 Schedule 3, The Redfern–Waterloo Authority Sites; <ul style="list-style-type: none"> <li>SEPP 65 – Design Quality of Residential Flat Development;</li> <li>SEPP (Building Sustainability Index: BASIX) 2004;</li> <li>the Redfern-Waterloo Built Environment Plan (Stage One) August 2006.</li> </ul> </li> </ul> </li> <li>Address provision of public infrastructure having regard to the Redfern Waterloo Authority Section 31 Contribution Plans;</li> <li>Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> </ul> <p><b>2. Building design</b></p> <ul style="list-style-type: none"> <li>The proposal must be capable of exhibit design excellence in accordance with the provisions contained in the SEPP Major Projects (2005) Schedule 3 - The Redfern-Waterloo Authority Sites having regard to: <ul style="list-style-type: none"> <li>a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;</li> <li>the form and external appearance of the building will improve the quality and amenity of the public domain,</li> <li>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> </li> <li>Visual aids such as 3 dimensional rendering should be used to demonstrate visual impacts of the proposals in particular having regard to the siting and design, bulk and scale relationships, appropriate use of materials and detailing having regard to the heritage fabric of the building and surrounding properties.</li> <li>An assessment of the impact of the proposal having regard to the siting and design, bulk and scale relationships, and the resultant architectural composition relative to the existing and surrounding built form.</li> <li>Where practicable plant equipment should be located within the basement to minimise the visual and acoustic impacts. Where this can not be achieved justification for roof top plant</li> </ul>

rooms is required. Any rooftop plant shall be designed as an integral part of the building; minimise the visual bulk of the building; not increase overshadowing of the adjacent development; and be adequately attenuated to avoid acoustic impacts on surrounding properties.

- Demonstrate that the proposed buildings will satisfy the requirements of SEPP 65 – Design Quality of Residential Flat Development.

### **3. Overshadowing**

- Demonstrate that the proposed building siting does not have unacceptable level of impacts on overshadowing, privacy and views of the adjoining sites.
- Provide plans/elevations and shadow diagrams demonstrating impacts of the proposal on the adjoining sites, including additional overshadowing.

### **4. Ecologically Sustainable Development**

- The EA shall detail how the development will incorporate ESD principles in the design, construction and ongoing operation phases.

### **5. Heritage**

- Identify any items of European heritage significance and provide a heritage impact statement in accordance with the *Heritage Manual*, (NSW Heritage Office & DUAP 1996). Specifically, the design and form of the proposal needs to respond, and assess any impacts on the character of the surrounding conservation area and nearby heritage items.
- Identify whether the site has significance to Aboriginal cultural heritage and where applicable prepare an independent Archaeological report in accordance with the draft *Guidelines for Aboriginal Cultural Heritage Impact Assessment & Community consultation*, DEC, July 2005.

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

- Demonstrate how the proposed building envelopes, building design and treatment of the public domain will:
  - maximise safety, security and public surveillance within the public areas including disabled access to the side of the front entrance and car park access. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications*, 2001;
  - address linkages within and between other public domain spaces, including Redfern train station;
  - ensure access for people with disabilities;
  - minimise potential for vehicle and pedestrian conflicts.
- Provide an aborist's report to assess the condition of existing trees proposed to be removed and methods of protection during construction.
- Provide landscaping plan for the public domain.

### **7. Staging**

- Clearly delineate any proposed staging of the proposal.

#### **8. Dedication**

- Provide details of any proposed dedication of open space to Council.

#### **9. Traffic Impacts (Construction & Operational)**

- A traffic and transport impact study shall be submitted with the EA which assesses the traffic and transport impacts of the project. The study shall:
  - impacts on local and arterial roads; adjacent road intersections; access points to development; existing traffic volumes with and without the development; AM and PM peak volumes; pedestrian traffic; parking requirements; provision and treatment of car parking; potential parking overflow; cumulative impacts of adjoining and adjacent developments; where appropriate;
  - detail measures to be implemented to mitigate any impacts identified;
  - identify any required upgrading of roads and improvement works to ameliorate any traffic inefficiency and safety impacts associated with the development and the need for associated funding for upgrading or road improvement works;
  - detail strategies for encouraging public transport patronage;
  - provide details of service and delivery vehicles movements;
  - provide details of bicycle facilities to be incorporated into the development;
  - detail adequate emergency vehicle access.

#### **10. Construction Impacts**

- Address measures to ameliorate potential impacts arising from the construction of the proposed development.

#### **11. Potential Contamination On site**

- The EA is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.

#### **12. Stormwater**

- Address stormwater issues associated with the development having regard to Water Sensitive Urban Design principles.

#### **13. Social and Economic Impacts**

- Identify cultural, social and residential opportunities that will be provided to support the development of a sustainable community within the broader Redfern-Waterloo area. Address social impacts of the proposal.
- The Plan must address long term social sustainability issues and address impacts on community safety, the local community impacts, and measures to ensure the minimisation of crime and anti-social behaviour.
- Address impacts on Aboriginal and European community

within Redfern.

#### 14. Services/infrastructure and utilities

- In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas.
- Details of any augmentation to services and utilities required to meet the demand generated by the proposed project.

**Deemed refusal  
period**

60 days

## APPENDIX B. SUMMARY OF SUBMISSIONS

### Former Rachel Forster Hospital site redevelopment MP07\_0029

#### Summary of all submissions received for this application

*NB. Because of the varying degree of detail provided in public authority submissions from DGRs stage to exhibition stage (ie. some agencies submitted detailed comments at DGRs stage yet did not respond during exhibition), this summary seeks to record all matters raised by agencies as well as provides a Departmental response.*

Date	Agency	Agency comment	Department's response
20 August 2007	Sydney Water	<ul style="list-style-type: none"> <li>- Consideration to be given to monitor and manage the downstream impacts of stormwater flowing from the site to Sydney Water's infrastructure.</li> <li>- If the development requires a connection to Sydney Water's stormwater system then Sydney Water's OSD Policy will apply to the proposal.</li> <li>- Proponent is to be encouraged to implement best practice urban stormwater management by treating stormwater runoff to NSW EPA draft best practice treatment objectives.</li> <li>- Applicant to obtain a s.73 Compliance Certificate from Sydney Water.</li> <li>- Certain tree species to be avoided in landscaping of development as it will impact on Sydney Water pipes.</li> </ul>	See Section 6.3.4 in report.
29 August 2007	NSW Heritage Office	<ul style="list-style-type: none"> <li>- Proponent to carry out archival recording of the site and buildings prior, during and after demolition.</li> <li>- An Interpretation Plan should be prepared by the applicant as part of the Project Application for the buildings and implemented as part of the project prior to the occupation of buildings.</li> </ul>	See Section 6.3.2 in report.
30 August 2007	City of Sydney Council	<ul style="list-style-type: none"> <li>- Provision of affordable housing.</li> </ul>	<ul style="list-style-type: none"> <li>- The Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 applies to the site and will require a monetary contribution to be paid when the subsequent PA is approved. This contribution will be applied to the provision of or</li> </ul>

		<ul style="list-style-type: none"> <li>- Existing 5 storey heritage building should not be increased in height to protect residential amenity of flat building to the south.</li> <li>- Apartments in Building 1 to incorporate garbage shutes and storage/collection rooms.</li> <li>- Apartments in Buildings 2, 3 &amp; 4 require storage/collection rooms only for waste disposal.</li> <li>- Consider proposal against SEPP 65, particularly privacy and overshadowing impacts on adjoining properties and residents.</li> <li>- Assess proposal against BASIX SEPP; incorporate ESD principles.</li> <li>- Redesign vehicular entry point.</li> <li>- Removal of Trees numbered 1, 3, 4, 6, 11 and 14 not supported. Consider design change or tree protection measures.</li> <li>- Obtain permission from adjacent property owners to the south prior to any works on Trees numbered 18 and 19.</li> </ul>	<p>refurbishment of affordable housing within the Operational Area. The MP SEPP does not have a specific requirement for affordable housing to be provided on this site.</p> <ul style="list-style-type: none"> <li>- The proposal demonstrates compliance with the height control and the additional storey will not have adverse on residential amenity as it is proposed to be set back from the building edge. See Sections 4.6.2 &amp; 5.1.2 in report.</li> <li>- Waste management will be addressed at the Project Application stage.</li> <li>- See Section 4.6.4 in report.</li> <li>- Proposal will be assessed in detail against the BASIX SEPP at the Project Application stage. See sections 4.4.1, 4.6.6 &amp; 5.4 in report.</li> <li>- See Section 5.2.1 in report.</li> <li>- See Section 5.1.3 in report.</li> <li>- Protection of Trees 18 and 19 will be assessed and conditioned at the Project Application stage.</li> </ul>
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		<ul style="list-style-type: none"> <li>- Street trees to be shown on any landscape plan.</li> </ul>	<ul style="list-style-type: none"> <li>- Provision of street trees will be assessed at the Project Application stage.</li> </ul>
24 September 2007	NSW Ministry of Transport	<ul style="list-style-type: none"> <li>- Consideration of cumulative transport impacts of development within the locality.</li> <li>- Establish a maximum rate of parking based on accessibility to public transport.</li> <li>- Commitment to develop a transport access guide in accordance with RTA guidelines.</li> <li>- Identification of walking and cycling connections to other sites within the area.</li> <li>- Demonstrate consistency with objectives of SEPP No. 66 – Integrated Land Use and Transport.</li> </ul>	<ul style="list-style-type: none"> <li>- See Sections 4.6.5 &amp; 5.2.3 in report.</li> <li>- The rate of parking proposed is based on indicative apartments to be achieved on the site. Detailed parking spaces will be determined at Project Application stage.</li> <li>- Access to transport is readily achieved given the site's proximity to rail and bus services.</li> <li>- Concept Landscape Plan indicates connectivity within the site and access to the surrounding area. The proposal addresses Pitt St which is the site's main access point.</li> <li>- See Section 4.6.5 in report.</li> </ul>

## **APPENDIX C. RESPONSE TO SUBMISSIONS**

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A response from the Proponent to matters raised in submissions was not required in this instance.

## **APPENDIX D. ENVIRONMENTAL ASSESSMENT**

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To be provided on disk.