



NSW GOVERNMENT
Department of Planning

**MAJOR PROJECT ASSESSMENT
PEMULWUY MIXED USE REDEVELOPMENT
Proposed by THE ABORIGINAL HOUSING
COMPANY LTD
MP06_0101**

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

June 2009



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1 EXECUTIVE SUMMARY

This is a report on a Concept Plan application seeking approval for the redevelopment of the Pemulwuy site (the site) in Redfern, commonly referred to as 'The Block'. The site is bound by Vine Street to the north, Louis Street to the west, the rail corridor to the east and Lawson Street to the south, and occupies a total area of 10,370m², comprising 98 allotments.

The Aboriginal Housing Company Ltd (the Proponent) is seeking approval to redevelop the site for a mix of residential, commercial, retail, cultural and community uses, public open space and car parking.

The Concept Plan proposes land uses, density, building locations and envelopes, building heights, vehicular and pedestrian access, open space, landscaping, and development staging.

The Proposal

The Concept Plan seeks approval for:

- **Incorporation** of Eveleigh Lane, part of Caroline Lane and a laneway adjacent to the railway line into the development;
- **Redevelopment** of the site for residential, commercial, retail, cultural and community uses, public open space and car parking;
- **New building locations & new building heights** ranging from 3 – 5 storeys;
- **Gross floor area** of approximately 15,311m² (40% residential, 47% retail/commercial; 13% cultural and community uses), including up to **62 residential** apartments;
- **Car parking for approximately 71 vehicles** within basement areas and ground level;
- **Public open space** totalling 500m²;
- Preliminary **landscape concept design**; and
- **Staging** of the development.

The project outlines the consolidation of existing allotments required for the development and the provision of essential infrastructure and services. The Capital Investment Value (CIV) of the proposal is **\$60 million**, creating **200** full time equivalent construction jobs and **100** full time equivalent operational jobs.

Permissibility

State Environmental Planning Policy (Major Projects) 2005 (MP SEPP) is the principal planning instrument applicable to the site. The site is zoned Business – Mixed Use under the provisions of Schedule 3, Part 5 of the MP SEPP and is also identified in the Redfern-Waterloo Authority Built Environment Plan (BEP) as a strategic site for the purposes of a mix of employment, residential, cultural and community uses. The proposed development meets the requirements of the MP SEPP and the proposed uses are permissible.

Public exhibition

The proposal was exhibited for a period of 30 days from 24 September to 24 October 2008. The Department received a total of 5 submissions from public authorities and 90 submissions from the public and community groups. Key issues included:

- Provision for greater mix of uses;
- Non-compliance with FSR and Building Height;
- Project delivery and long term management of the site; and
- Detailed design concerns with individual built elements.

Response to submissions

On 6 April 2009, the Proponent submitted a response to submissions to address issues raised during the exhibition period. Revisions to the project included:

- Additional basement car parking for the residential component, from 9 spaces to 45 spaces; and
- Commitment to include retail and commercial development together with residential development in Stage 1.

Public benefits

The public benefits resulting from the proposal include:

- The development will revitalise a currently underutilised site and contribute to neighbourhood regeneration;
- Increased employment opportunities through construction and operational jobs as well as through the development of commercial/retail uses;
- Provision of new retail and commercial uses;
- Improved artistic, cultural and educational facilities;
- Improved connections to the surrounding neighbourhood into the site, including the provision of access to new public open space and public domain areas;
- Improved urban and aesthetic design to the site and locality; and
- Environmentally sustainable development.

Key recommended modifications to the Concept Plan

Key recommendations made to the proposal to be included as modifications to the submitted Concept Plan are as follows:

- Further detailed designs buildings, in particular retail, commercial and community use buildings;
- Further detailed analysis of proposed basement car parking to minimise impacts on surrounding road network;
- Staging of development to ensure mix of uses;
- Heritage interpretation; and
- Requirements to incorporate car share schemes in future stages of the development.

Conclusion

The Department has assessed the merits of the project and is satisfied that the impacts of the proposed development have been addressed via the response to submissions, Statement of Commitments and the Department's recommended conditions to the Concept Plan Application. The Department considers that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance, is satisfied that the site is suitable for the proposed development and that the project will provide environmental, social and economic benefits to the locality. All statutory requirements relating to the Concept Plan Application have been met.

The Department recommends that the Concept Plan Application be approved, subject to modifications.

CONTENTS

1	EXECUTIVE SUMMARY	1
2	BACKGROUND	4
	2.1 THE SITE.....	4
	2.2 SITE HISTORY	6
3	PROPOSED DEVELOPMENT	7
	3.1 THE PROPOSED DEVELOPMENT	7
	3.2 PROJECT CHRONOLOGY	13
	3.3 PROJECT AMENDMENTS	13
4	STATUTORY CONTEXT.....	13
	4.1 MAJOR PROJECT DECLARATION	13
	4.2 PERMISSIBILITY	14
	4.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS	14
	4.4 OBJECTS OF THE ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979	14
	4.5 SECTION 75I(2) OF THE EP&A ACT	16
	4.6 ENVIRONMENTAL PLANNING INSTRUMENTS.....	17
	4.7 OTHER PLANS AND POLICIES	21
5	ASSESSMENT OF ENVIRONMENTAL IMPACTS	22
	5.1 LAND USE.....	22
	5.2 BUILT FORM & URBAN DESIGN	23
	5.3 PUBLIC DOMAIN, SAFETY & SECURITY	24
	5.4 TRAFFIC IMPACTS, PARKING & ACCESS.....	26
	5.5 HERITAGE & ARCHAEOLOGY	27
	5.6 ECOLOGICALLY SUSTAINABLE DEVELOPMENT	28
	5.7 PROJECT DELIVERY AND FUTURE MANAGEMENT	28
	5.8 SOCIAL & ECONOMIC IMPACTS.....	29
	5.9 PUBLIC INTEREST	30
6	CONSULTATION AND ISSUES RAISED	30
	6.1 PUBLIC EXHIBITION.....	30
	6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT	30
7	CONCLUSION	34
8	RECOMMENDATION.....	35

APPENDIX A. DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS

APPENDIX B. RESPONSE TO SUBMISSIONS

APPENDIX C. ENVIRONMENTAL ASSESSMENT

2 BACKGROUND

2.1 THE SITE

2.1.1 Site context and location

The site is located 3 km south of Sydney City, north of Australian Technology Park, east of the University of Sydney campus, and west of Prince Alfred Park and the suburbs of Redfern and Surry Hills. At a local context the site has a predominant south to north aspect, immediately adjoining Sydney's primary south/west rail corridor to the east, Redfern Station to the south, the light industrial precinct of Chippendale to the north, and the residential suburb of Darlington to the west.

The site is generally bound by Lawson Street to the south, Vine Street to the north, Louis Street to the west and the railway corridor to the east. Within the site is Caroline Street in an east-west alignment, and Eveleigh Street in a north-south alignment. Caroline Lane is located parallel to Lawson and Caroline Streets, and Eveleigh Lane is parallel to Louis and Eveleigh Streets.

The site comprises 98 allotments, involving 4 separate land owners, with the Proponent being the primary land owner. The site comprises a total area of approximately 10,370m² (excluding public roads and laneways).

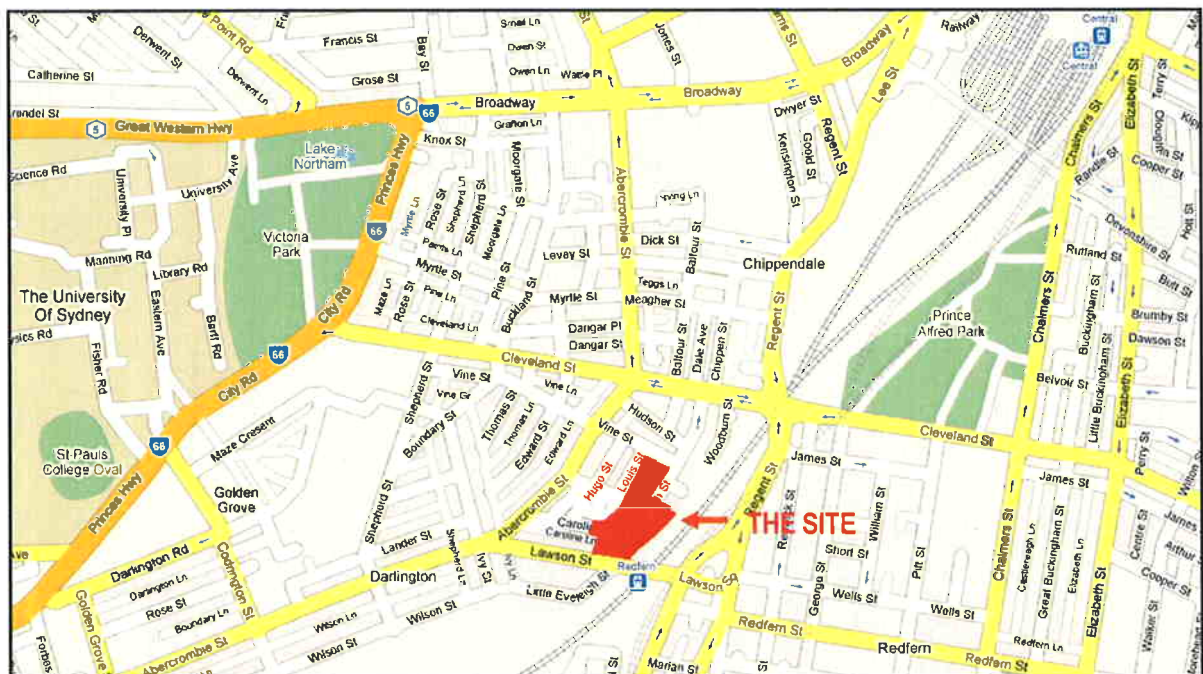


Figure 1 – Site location

2.1.2 Existing site features

The site is currently occupied by the following buildings and facilities, all predominantly 2 storeys in height:

- The Elouera Gymnasium (corner of Vine and Eveleigh Streets);
- The Murrawina Childcare Centre (Eveleigh Street);
- The former Railway View Hotel (corner of Eveleigh and Lawson Streets) – commercial office for the Aboriginal Housing Company;
- Residential flat building containing 3 units (corner of Louis and Caroline Streets); and
- 18 vacant residential terrace houses fronting Vine Street and the north end of Louis Street.

Historically, the majority of the site contained 2 storey residential dwellings, administered by the Aboriginal Housing Company, providing affordable residential accommodation to the Aboriginal and Torres Strait Islander community. Between c.1990 and 2004 the majority of terrace houses located along Caroline, Eveleigh and Vine Streets were demolished, resulting in large portions of the site now being vacant land.



Figure 2 – The existing site

Note: hatched parcels indicate land owned by the Department of Housing which is not included as part of this Concept Plan Application. See the Environmental Assessment at Appendix C for further detail.

Vehicular access to the site can be obtained via two way streets, Lawson Street, Caroline Street, Vine Street and Eveleigh Street. Pedestrian access is also via these streets with the main pedestrian access point being Lawson Street, from the south, as a through site link from Redfern Station to the suburbs of Darlington to the west and Chippendale to the north.

The site has a natural fall of approximately 10 metres from south to north, providing a northerly aspect to the Sydney CBD skyline.

2.1.3 Surrounding development

The site is surrounded by a mix of typical inner city land uses ranging from residential, light industrial and local services. Residential development to the west of the site is characterised by terrace housing, mixed with some medium density residential development. Light industrial development to the north of the site is characterised by 2 storey buildings utilised for general storage and warehousing.

Abercrombie Street further west sustains a retail strip and along with Lawson Street is a main thoroughfare for university students moving between the Sydney University campus and Redfern Railway Station. The City of Sydney's Redfern Community Centre is located immediately adjacent to the west of the site.

2.1.4 Zoning / Statutory controls

The site is zoned Business – Mixed Use under the provisions of Schedule 3, Part 5 of the MP SEPP. A range of development is permissible with consent in this zone including a mix of employment, educational, community, cultural, open space, retail, business/office and residential uses.

Under the MP SEPP, the site is divided into 2 precincts, defined by differing height and floor space ratio (FSR) requirements:

- **Precinct D (Western):** maximum 3 storey height and a maximum floor space ratio (FSR) of 0.75:1;
- **Precinct F (Eastern):** maximum 5 storey height and a maximum FSR of 1:1.

The site contains no heritage listed items under the MP SEPP.



Figure 3 – MP SEPP precincts

2.2 SITE HISTORY

Historically the site was occupied by 2 storey residential terraces for workers of the Eveleigh Workshops and local industry up until the mid 20th century when the area was rezoned light industrial. As a result of the rezoning some of the terrace houses were demolished to build factories (e.g. the Elouera Gymnasium – a former boot making factory). In 1973, the Aboriginal Housing Company began acquiring portions of the site to be utilised as affordable residential accommodation, social and recreational services for the Aboriginal and Torres Strait Islander community, a use that continues to this day.

The majority of housing stock on the site has systematically been demolished over the years resulting in large portions of the site now being vacant land. The remaining buildings whilst of social significance are of little aesthetic or historical value. The site itself is significant on a local, state and national level for its social value, especially within the Aboriginal and Torres Strait Islander community.

Whilst numerous concepts and development plans have been produced over the years for the redevelopment of the site, this application is the first formal major development proposal to be considered for the site.

3 PROPOSED DEVELOPMENT

3.1 The proposed development

Approval is sought for a Concept Plan Application for the redevelopment of the site, known as the Pemulwuy Redevelopment. The response to submissions has amended the proposal by providing basement car parking spaces for the residential component, and a commitment to including commercial and retail development in Stage 1 of the proposal. Specifically, the proposal consists of the following:

- Demolition of the existing structures including the Elouera Gymnasium (corner of Vine and Eveleigh Streets), the Murrawina building (Eveleigh Street), the former Railway View Hotel (corner of Eveleigh and Lawson Streets), residential flat building (corner of Louis and Caroline Streets), and 12 terraces fronting Louis Street.
- Use of the site for residential, commercial/retail, cultural and community uses, including the adaptive reuse of the existing 6 terraces on Vine Street for an elders community centre;
- Building location and indicative new building footprints and envelopes on vacant land (see Figure 5 - Site Plan) with a total Gross Floor Area (GFA) of 15,311m², comprising;
 - 6,052m² of residential GFA (containing 62 residential apartments);
 - 7,237m² of retail/commercial GFA;
 - 628m² of community GFA (including 24 respite care apartments); and
 - 1,394m² of cultural GFA.
- Building heights, ranging from 3 to 5 storeys (see Figure 4 – Height map);



Figure 4 – Height map

- Basement level car parking beneath new building footprints for approximately 71 spaces, comprising 45 spaces for the residential development, 20 spaces for the commercial development and 6 ground level parking spaces in residential component for emergency vehicles;
- Incorporation of Eveleigh Lane, Caroline Lane and laneway adjacent to railway line into the development;
- Public open space totalling 500m²; and
- A preliminary landscape concept design.

The project outlines the consolidation of existing allotments required for the development, staging, and the provision of essential infrastructure and services.

The majority of the site is owned by the Proponent, the Aboriginal Housing Company (AHC), and other owners consist of the Aboriginal Medical Service Cooperative Ltd, Murawina Ltd, and the City of Sydney Council. Landowners consent from these four parties has been obtained. Three vacant sites on Caroline Street, owned by the Department of Housing, are within the bounds of the area covered by this Concept Plan but do not form part of this application. On 25 October 2007, the Environmental Assessment (EA) was lodged, however it was inadequate.

3.1.2 Allotments

The Concept Plan Application proposes to consolidate 98 allotments and subdivide into 3 new allotments, as follows:

- **Lot 1**, Parts A, B and C – bounded by Eveleigh, Lawson and Caroline Street;
- **Lot 2**, Parts A, B and C – bounded by Eveleigh, Caroline, Louise Street and Vine Street; and
- **Lot 3**, Parts A and B – bounded by Eveleigh Street and the railway corridor.

3.1.3 Land Use

The Concept Plan Application proposes an allocation of landuses across the site as follows:

- **Lot 1**, retail, commercial and community uses combined with private and public open space areas;
- **Lot 2**, residential and community uses combined with private and public open space areas; and
- **Lot 3**, commercial, cultural and (ancillary) retail uses combined with private and public open space areas.



Figure 5 – Proposed allotments

3.1.4 Building Heights, Envelopes and Location

The Concept Plan seeks approval for the general siting, footprint, basement parking locations, height and envelope of buildings for the proposed development. The location of new buildings has been proposed with regard to residential amenity, existing land use patterns, the existing rail corridor, arterial roads, and safety and security issues.

3.1.5 Access and Car Parking

The proposal maintains the existing vehicular access points and circulation routes for the site.

The Concept Plan proposes 71 parking spaces for the total development within basement areas and at ground level. It is proposed for approximately 42 private vehicles to be located in basement parking areas beneath the new residential building footprints, and an additional 3 spaces for private vehicles are proposed at ground level. A further 6 spaces are provided at ground level in the residential component for emergency vehicles.

Beneath the new commercial and retail offices on the corner of Eveleigh and Caroline Streets, parking is provided for 20 vehicles to be accessed from Caroline Lane.

3.1.6 Development Data Tables

	Control (MP SEPP)	Proposed	Compliance
Lot size	N/A	Lot 1 – 1,075.65m ² Lot 2 – 6,772m ² Lot 3 – 2522.35 m ²	N/A
Combined Site TOTAL	N/A	10,370 m ²	N/A
	Lot 1 – 3 storeys	Lot 1 – 3 storeys	Yes

Building Height	Lot 2 – 3 storeys	Lot 2 – 2 to 4 storeys	No
	Lot 3 – 5 storeys	Lot 3 – 5 storeys	Yes
FSR Maximums	Lot 1 – 1.5:1 (0.75:1 residential)	Lot 1 – 1.77:1 (no residential)	No Yes
	Lot 2 – 1.5:1 (0.75:1 residential)	Lot 2 – 1.03:1 (0.89:1 residential)	Yes No
	Lot 3 – 2:1 (1:1 residential)	Lot 3 – 2.56:1 (no residential)	No Yes
Combined Site TOTAL	1.6:1 (0.8:1 residential)	1.48:1 (0.58:1 residential)	Yes <i>In principle</i>
GFA Maximums (based on FSR above)	Lot 1 – 1,613.48m ² (806.74m ² residential)	Lot 1 – 1,901m ² (no residential)	No Yes
	Lot 2 – 10,158m ² (5,079m ² residential)	Lot 2 – 6,948.80m ² (6,052.80m ² residential)	Yes No
	Lot 3 – 5,044.7m ² (2,522.35m ² residential)	Lot 3 – 6,462m ² (no residential)	No Yes
Combined Site TOTAL	16,592 m ² (8,296m ² residential)	15,311.80 m ² (6,052.80 m ² residential)	Yes <i>In principle</i>

Table 1 – Development data



Figure 6 – The proposed site plan

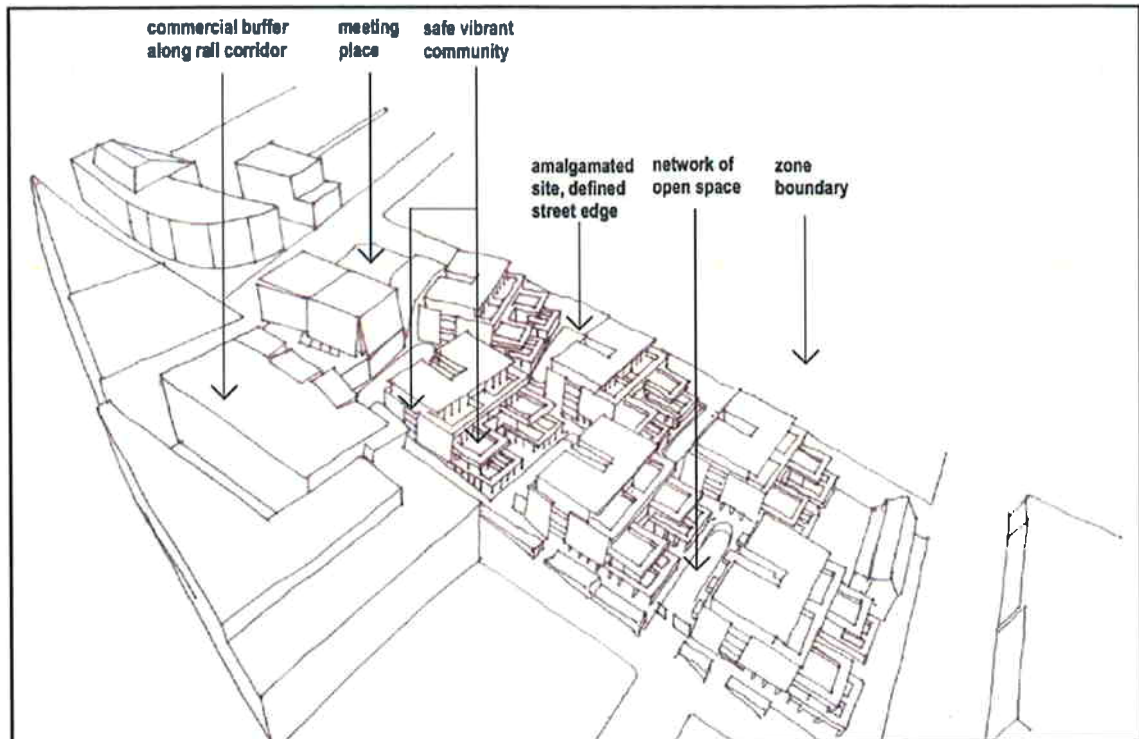


Figure 7 – The design concept

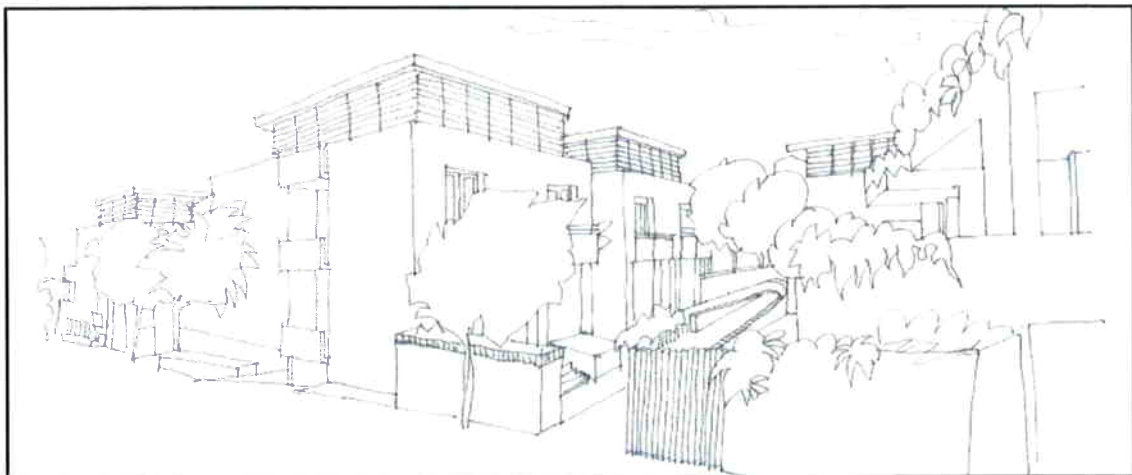
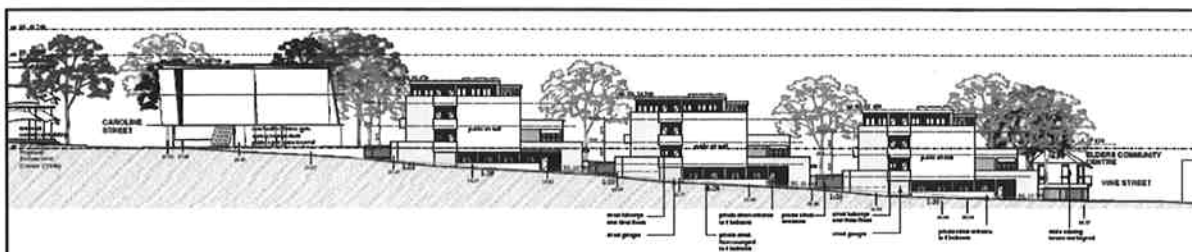


Figure 8 – Concept - residential envelopes - looking west from Eveleigh Street



Figure 9 – General landscape plan and apartment layout



3.1.7 Staging

- **Stage 1 - Lot 2** - residential and community uses combined with private and public open space areas (Amended with response to submission to include Stage 2 retail/commercial development on the corner of Lawson, Eveleigh and Caroline Streets);
- **Stage 2 - Lot 1**, retail, commercial and community uses combined with private and public open space; and
- **Stage 3 - Lot 3**, commercial, cultural and (ancillary) retail uses combined with private and public open space.

- 29 September 2006 – Director General, as delegate of the Minister, formed the opinion that the proposal is a Project to which Part 3A of the EP&A Act applies.
- 4 October 2006 – Minister authorised submission of a Concept Plan.
- 6 October 2006 – Director General's Environmental Assessment Requirements issued.
- 25 October 2007 – Environmental Assessment (EA) lodged (inadequate).
- 16 September 2008 – all outstanding information submitted and EA declared adequate.
- 24 September to 24 October 2008 – EA publicly exhibited.
- 1 December 2008 – all submissions and letter from Department requesting a response to issues raised forwarded to Proponent.
- 6 April 2009 – Proponent's response to submissions received.
- 14 April 2009 – further information received about car parking provisions.
- 24 June 2009 – further information received regarding the former Railway View Hotel.

- Provision of 42 space basement carpark for the residential component; and
- The incorporation of commercial/retail development on the corner of Lawson, Eveleigh and Caroline Streets into Stage 1.

The proposal, as amended, forms the basis of the Department's assessment of the statutory context and key issues.

4 STATUTORY CONTEXT

4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under the MP SEPP as it has a CIV of more than \$5 million and is of a kind described in Schedule 3, Part 5 – Redfern Waterloo Authority Sites, (State Significant Site) as a project to which Part 3A of the EP&A applies. The opinion was formed by the Director General, as delegate of the Minister on 29 September 2006 and

authorisation was granted for the submission of a Concept Plan Application on 4 October 2006.

4.2 PERMISSIBILITY

Under the MP SEPP, the site is zoned Business – Mixed Use, which permits a mix of employment, educational, commercial/retail, cultural and residential uses. The proposal is consistent with the objectives of the Business – Mixed Use zone and is permissible subject to the Minister's approval.

4.3 DIRECTOR GENERAL'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (DGRS)

The DGRs issued on 6 October 2006 required the following key issues to be addressed:

- Built Form & Urban Design
- Design Excellence
- Environmental and Residential Amenity
- Ecologically Sustainable Development
- Employment and Enterprise
- Social Impacts
- Safety / Public Domain / Pedestrians
- Heritage
- Traffic Impacts (Construction & Operational)
- Rail Impacts
- Construction Impacts
- Contamination
- Drainage
- Services/Infrastructure and Utilities
- Land Ownership and Tenure

The DGRs are at **Appendix A**

The EA was lodged by the Proponent on 25 October 2007 and after all outstanding information was submitted on 16 September 2008, the EA adequately addressed the DGRs and was placed on public 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 Plan Application under Part 3A must be informed by the relevant provisions of the EP&A Act, consistent with the backdrops of the objects of the EP&A Act.

The objects of the EP&A 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.*

The Concept Plan proposes that future development on the site occurs in an appropriate manner. The orderly use of the land is to be coordinated, providing housing, community facilities and commercial development and will ensure that the land is continued to be used for public purposes as well as being publicly accessible.

With respect to Environmentally Sustainable Development (ESD), the EP&A 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 future development contemplated by the Concept Plan will be subject to further detailed planning applications to secure the outcomes envisaged, and this will involve state and local areas of government having a shared responsibility as landowner, tenants and managers of parts of the site. These future applications will provide further opportunities for public participation in the development, usage and management outcomes for the site.

The Department has considered the Objects of the EP&A Act, including the encouragement of ESD in the assessment of the Concept Plan Application. The balancing of the application in relation to the Objects is provided in Section 5.

4.4.1 Environmentally Sustainable Development Principles

There are five 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 any 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, and the EA is supported by technical and environmental reports which conclude that the proposal's impacts can be successfully mitigated. The site is not subject to any known effects of flooding and is not subject to bushfires. The recommended conditions require additional information to ensure the proposal's extent and nature

- is fully documented and opportunities are provided for proposed mitigation and management measures to incorporate best practices.
- c) **Climate Change** - The proposal will not detrimentally increase potential flood affectation on other developments or property, will not result in an increased risk to human life, and is unlikely to result in additional economic and social cost. It is unlikely that this site or the proposed development will be impacted by changes in sea level resulting from climate change.
 - d) **Inter-Generational Principle** – The proposal represents a sustainable development of the site. The proposal will enable social renewal of the site and immediate locality, and provide a high quality mixed use environment for future users of the site.
 - e) **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. The proposed removal of existing vegetation will not affect any threatened or vulnerable species, populations, communities or significant habitats.
 - f) **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 their Statement of Commitments and EA, including but not limited to, bench marking building against BASIX, maximizing cross-ventilation, apartment layout to maximise solar access and rainwater harvesting for reuse. A modification to the Concept Plan will require the incorporation of best practice ESD initiatives at each subsequent development stage.

ESD is considered in the wider context of the public benefits of the proposal, and these are documented throughout the report.

4.5 Section 75I(2) of the EP&A Act

Section 75I(2) of the EP&A 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. These matters and the Department's response are set out as follows:

Section 75I(2) criteria	Response
Copy of the Proponent's environmental assessment and any preferred project report	The Proponent's EA is provided as Appendix C.
Any advice provided by public authorities on the project	All advice provided by public authorities on the Concept Plan Application for the Minister's consideration is set out in Section 6 of this report.
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 Plan 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 Plan Application 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 proposal relative to the prevailing environmental planning instrument is provided in Section 4 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General	The environmental assessment of the Concept Plan Application is this report in its entirety.

considers appropriate.	
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the Concept Plan Application is this report in its entirety.
Clause 8B criteria	Response
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 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 a mix of employment, educational, cultural and 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 of this report.

Table 2 - Requirements for the 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 75I(2)(d) and (e) of the EP&A 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 Plan Application.

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005, Schedule 3 – State Significant Site;
- State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings;
- State Environmental Planning Policy No. 55 – Remediation of Land;
- State Environmental Planning Policy (BASIX); and
- Standard Instrument (Local Environmental Plans) Order 2006 (for definitions only)

4.6.2 State Environmental Planning Policy (Major Projects) 2005

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.

Clause 21(3) of Part 5 to Schedule 3 of the MP SEPP expressly provides that the Minister may approve a Concept Plan which exceeds the maximum height and floor space ratio controls.

Height

The proposed variation to heights occurs on the residential portion of the site in Lot 2, and is a variation by one storey. The development complies with the height controls across the remainder of the site, the proposed variation does not create unacceptable impacts on amenity and is worthy of support. This issue is addressed in detail in Section 5.2 of this report.

Gross Floor Area / Floor Space Ratio

The proposal involves a number of non-compliance with the respective FSR controls under the MP SEPP when considered on a site by site basis:

- The floor space proposed for Lot 1 exceeds the maximum allowable FSR of 1.5:1 for this part of the site by 287.52m². This additional floor space is for commercial/retail uses.
- The residential floor space proposed for Lot 2 exceeds the maximum allowable residential FSR for this part of the site by 973.8m². However the proposal is approximately 3,200m² below the total allowable FSR for Lot 2, which is 1.5:1. This additional floor space is for residential uses, which are not proposed in any other part of the site.
- The floor space proposed for Lot 3 exceeds the maximum allowable FSR of 2:1 for this part of the site by 1417.3m². This additional floor space is for commercial/art gallery uses.

As this application is for a Concept Plan, the FSR restrictions are not a prohibition in this instance, as clause 21(3) of Part 5 to Schedule 3 of the MP SEPP allows for a redistribution of floor space across a site, as an appropriate response to the sites constraints. In this instance, although the Concept Plan seeks a variation to the permitted FSR requirements across the three lots, as discussed above, the combined gross floor area of the whole development is approximately 1,280m² less than that permitted by the FSR controls detailed in the MP SEPP.

Design Excellence

Clause 22 in Schedule 3, Part 5 requires new development to exhibit design excellence. As the proposal seeks Concept Plan approval only at this stage, a detailed assessment of design excellence cannot be undertaken at this stage however it will be undertaken with the subsequent stages of the development. Nevertheless 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 stages of the development will be capable of meeting the specific design requirements of the MP SEPP. A modification is proposed to the Concept Plan requiring the Proponent to exhibit design excellence in accordance with clause 22 at each subsequent stage of development. The Concept Plan does not propose any building greater than 12 storeys in height and as such a design competition is not required.

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

The PPR provides a detailed assessment of the proposal against State Environmental Planning Policy No.65 – Design Quality of Residential Flat Buildings (SEPP 65) as well as building envelopes and indicative floor plans for the residential unit types that would enable a preliminary assessment against this SEPP. The proposal complies with the 10 principles of SEPP 65 as demonstrated below:

Ten Principles of Design

Principle 1: Context

The proposal has regard for the surrounding residential context, which comprises of predominantly attached residential terraces and some residential flat buildings in nearby Cleveland Street, whilst proposing housing that is sustainable and provides for the cultural needs of this community. 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 Plan responds well to the characteristics of the locality whilst having regard to new infill development within an area that is undergoing renewal and change. The provision of open space that will be available to the public 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 proposes 3-4 storey residential buildings that respond to the topography of the site. These buildings also appropriately respond to existing development along Caroline and Louis Streets, which are predominantly 2-3 storey terrace developments.

The residential component is restricted to one part of the site, which is in proximity to existing residential development. The Concept Plan 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 height of buildings to 3-4 storeys and retaining buildings for adaptive reuse.

The proposed built form is consistent with the surrounding built form of terrace dwellings along Caroline and Louis Streets, whilst also proposing housing that provides for the cultural needs of the community.

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 for the site is controlled by the MP SEPP and is separated into FSR controls across the 3 proposed allotments comprising the whole site. A variation is sought to the FSR controls however the additional floor space does not increase the gross floor space allowable across the whole site. The Concept Plan Application demonstrates that the gross floor area can be accommodated on 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. The proposed density maximises the opportunities presented by its proximity to the Redfern Town Centre and public transport infrastructure, in particular Redfern Station. The mix of uses and proposed density is consistent with the objectives for the zone in the MP SEPP.

The Concept Plan is satisfactory with respect to the principle of density.

Principle 5: Resource, energy and water efficiency

Many of the issues regarding resource, energy and water efficiency will be resolved during each subsequent stage of the development. The Concept Plan is intended to enable the achievement of water and energy efficient reduction targets and satisfaction of BASIX at subsequent stages.

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 northerly aspects and private open space.

A modification to the Concept Plan will require the Proponent to incorporate ESD initiatives at each subsequent stage as well as demonstrated compliance with BASIX.

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

Principle 6: Landscape

A Landscape Master Plan submitted with the application 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. It also seeks to incorporate sustainable design principles, including the capturing and harvesting of rainwater for reuse.

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

Principle 7: Amenity

The Concept Plan seeks to optimise amenity in terms of solar access, ventilation, views and outlook, private open space and access to public open space. Indicative apartment layouts demonstrate that the proposed building footprints, location and envelope intends to maximise residential amenity, as a majority of apartments have northerly solar access, dual aspects for cross-ventilation, and private open space.

The building layout provides opportunity for ground floor apartments to have direct access from the street and building separation ensures privacy between apartments, whilst having regard to culturally appropriate housing types. By staggering the footprints of the proposed buildings and providing terraced landscaping as a visual separation between buildings the proposed building separation complies with the requirements of SEPP 65 thus visual privacy between new buildings will be acceptable.

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 car parking areas, as well as entry points for apartments from the public open space and public domain areas. Sections 5.3 and 5.4 of this report further addresses this issue.

Principle 9: Social Dimensions

The Concept Plan will facilitate the development of quality housing for existing and new residents that respond to the social mix of the area and is culturally appropriate. Affordable housing provisions will also be addressed at each subsequent stage of the development in accordance with the objectives for affordable housing as envisaged in the Redfern-Waterloo Built Environment Plan (Stage 1). Section 4.7.2 of this report further addresses the issue of developer contributions.

Principle 10: Aesthetics

A concept materials finishes board has been submitted however the external colours and materials of the proposal will be determined at the detailed design phase. A modification to the Concept Plan requires that at each subsequent stage of the development, the Proponent demonstrate design excellence in terms of architectural design, materials and detailing, and overall building appearance.

4.6.4 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP 55 requires a consent authority to consider whether the land is contaminated, and if so, whether the land will be remediated before the land is used for the intended purpose.

An assessment of documentary evidence reveals that the site has predominantly a history of residential use since the late 1800's. On this basis it is concluded that the site is considered to pose a low risk for contamination. Nonetheless, in order to ensure the site is suitable for the intended use, as required by Clause 7 of SEPP 55, a detailed assessment of potential site contamination will be required at all appropriate stages of the development, as well as the preparation of a Remediation Action Plan if required. This shall be required as a modification to the Concept Plan.

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

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 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 Plan Application a BASIX assessment cannot be undertaken by the Proponent at this stage. A BASIX assessment will be required to be submitted at each subsequent stage of the development.

4.6.6 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. The Proponent has used the definitions in the Standard Instrument where relevant within their Environmental Assessment and the calculations for FSR and height above have been based on these definitions.

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 (BEP) was developed to assist in the social, environmental and economic revitalisation of the Redfern-Waterloo area, with Stage 1 designed to provide a planning framework for the redevelopment of the RWA's strategic sites, including the subject site within the Eveleigh Street sites.

The BEP (Stage 1) adopts a mixed use for the whole site in order to create a vibrant, cultural, business and residential precinct and to encourage employment growth within the site. The proposed land use zone under the BEP (Stage 1) is 'Business Zone – Mixed Use' and has since been gazetted in the MP SEPP.

The Concept Plan proposal is considered to be consistent with the BEP.

4.7.2 RWA Development Contributions Plan and Affordable Housing Contributions Plan

Section 94 Contributions

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 approval, a requirement that the Proponent pay a development levy of 2% of the proposed cost of carrying out the development, excluding costs associated with the provision of affordable housing. No other works proposed under the Concept Plan attract an exemption under the Development Contributions Plan.

Under clause 16 of the Contributions Plan, the Proponent may seek to make a contribution towards the provision of public facilities to meet development other than by payment of a development levy. Although no such request has been provided by the Proponent at Concept Plan stage, should the Proponent demonstrate that the provision of community facilities and dedicated public open space satisfies the value of the contribution required, the consent authority may consider exempting the Proponent from paying a development levy under the provisions of clause 16.

Affordable Housing Contributions

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, excluding the proposed affordable housing. No other works proposed under the Concept Plan attract an exemption under the Affordable Housing Contributions Plan. In this instance, the rate will apply to additional GFA which will be determined at each subsequent stage of the development.

Under clause 12 of the Affordable Housing Contributions Plan, the consent authority may take into consideration the provision of affordable housing in a development when determining the development levies payable. It is considered that if the Proponent can demonstrate that the proposed development makes satisfactory arrangements for the provision and future management of the proposed affordable housing in subsequent stages of the development, the consent authority may consider exempting the Proponent from paying affordable housing levies under the provisions of clause 12.

Approval is sought for a Concept Plan in this application. Affordable housing and development contributions, if considered appropriate, will be calculated, in accordance with clause 25J of the EP&A Regulation 2000, at each subsequent stage of the development. The issue of contributions and the application of the appropriate contributions plans will be a matter for the consent authority at that time. This matter is further detailed in Section 5.7 of this report.

5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

The Director General's Requirements and following key issues were considered in the Department's assessment of the Environmental Assessment:

- Land Use
- Built Form & Urban Design
- The Public Domain, Safety & Security
- Traffic Impacts, Parking & Access
- Heritage & Archaeology
- Ecologically Sustainable Development
- Social & Economic Impacts
- The Public Interest

5.1 LAND USE

The land use controls in the MP SEPP seek to encourage employment and mixed uses as well as to provide for some residential development across the site by imposing a maximum total FSR and a maximum proportionate residential FSR on each of the sites precincts. The objective of the Business Zone – Mixed Use is to ensure that a vibrant, safe and sustainable community is created. This does not however need to be achieved on each individual site, and in considering a Concept Plan across a number of lots, residential and commercial development can be located in different areas to achieve other development objectives.

By positioning residential uses central to the site, the amenity of future residential tenants is ensured as the commercial/retail blocks act as a buffer to the surrounding major transport networks. The position of the residential uses on the western boundary of the site also provide a good transition from the commercial/retail hub near Redfern Station to the lower density residential suburb of Darlington to the west.

The positioning of commercial/retail components of the development on the southern Lawson Street and eastern Eveleigh Street boundaries of the site ensures that the proposal reinforces the Eveleigh Street south to north pedestrian link, by encouraging pedestrians into the precinct to gain access to the commercial and retail uses.

The Concept Plan achieves the mixed use objective of the MP SEPP's land use controls by providing a mix of residential, commercial, cultural, retail, recreational and educational uses across the site. The uses are appropriately positioned on separate blocks in order to minimise residential amenity impacts, safety and security concerns and to maximise commercial and retail exposure to major train and traffic routes.

The proposed mixed use character for the site benefits from its proximity to Redfern Railway Station, Redfern town centre, Abercrombie Street and the University of Sydney, as well as access to major arterial roads. As such, the mix of land uses is considered to be an appropriate response to the site's strategic location, providing an increased level of accessible employment and enterprise opportunities. The mix of land uses also encourages people from around the locality to use services that will be available to the general public, as well as providing commercial/office uses that make the site accessible to a greater public population that may not necessarily be residents on the site.

5.2 BUILT FORM & URBAN DESIGN

5.2.1 Built Form & Layout

The proposed building envelopes across the site support the appropriate development of the site while also ensuring compatibility with adjacent residential development, character of the area and sensitivity to the site's orientation.

The relationship between the taller buildings on the site and the surrounding areas is considered acceptable as the siting of taller buildings towards the eastern boundary and the natural slope of the land provides a gradual transition in height to the residential areas to the east.

The built form along Lawson Street is respectful to the existing residential development and built form surrounding Redfern Station, with the difference in ground level as the site falls away to the north enabling the built form within the site to be minimised in its visual impact, in terms of height, bulk and scale.

The former Railway View Hotel will be demolished as the building itself has neither historical nor Architectural merit and will provide an opportunity to provide a quality iconic building, which together with the landmark commercial building with an open air art gallery fronting Lawson Street will act as a prominent entry point into the site.

The proposed built form across the site has regard for the site's historical significance, its proximity to major transport networks, and the existing residential context and development pattern of surrounding suburbs however, the Concept Plan also responds to the future development potential of the site by proposing built forms that provide greater housing choice and variety of land uses.

The proposed site layout results in a clearly defined street edge which improves legibility and enables views through the site to be enhanced. This is considered a positive outcome for the site and is inline with the requirements of the MP SEPP as the improved definition of space and framing views will draw people into the site, activating the area and providing a safe and legible urban environment.

5.2.2 FSR, Building Height, Bulk & Scale

The Concept Plan complies with the density controls for the site under the MP SEPP when considered in a consolidated site approach. The proposed additional floor space across Lots 1 and 3 does not result in a total GFA that is larger than that permissible under the MP SEPP. By allowing the placement of uses and built form in a manner that is responsive to the site's constraints, and not requiring strict compliance on a site by site basis, a better built form is achieved. The proposal does not result in a loss of views or solar access to surrounding development.

New buildings on the site vary from 3 to 5 storeys, and have been positioned across the site with regard to adjoining development and uses. The proposed building heights across the site support the appropriate development for the site while also ensuring compatibility with adjacent residential development, character of the area and sensitivity to the site's orientation. The redistribution of building heights has been necessary to provide an acceptable built form layout that responds positively to the topography of the site. The redistribution of heights is also considered acceptable as their proposed locations in relation to existing residential buildings and proposed new buildings will not create adverse impacts and that the general intent of the MP SEPP height controls is met.

The relationship between the existing dwellings and new buildings along the Lawson Street frontage of the site is considered acceptable as the building heights respect the existing scale of dwellings.

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

5.2.3 Solar Access & Overshadowing

Impact on proposed residential buildings

Solar analysis for midwinter between 9am and 3pm indicates that all apartments in new buildings on Lot 2 will receive 3 hours of sunlight to living areas in accordance with best practice guidelines. The number of apartments receiving solar access across the whole site during midwinter is considered to be satisfactory.

Impact on adjoining developments

Assessment of overshadowing has been undertaken for equinox and winter solstice and is considered to not adversely impact upon existing levels of solar access enjoyed by adjoining residential development, which are located generally to the west of the site. Shadows generated by new buildings at the equinox will fall predominantly within the site and to road corridors and public open space to the south.

Midwinter overshadowing (21 June)

The public domain area adjacent to the existing Redfern Community Centre public domain area will largely receive solar access, with partial shadow at 9am. By midday it will have full solar access. At 3pm, shadows on the public area are limited to the western part of the public space.

5.3 PUBLIC DOMAIN, SAFETY & SECURITY

5.3.1 Public Open Space

The Concept Plan provides for approximately 500m² of open space for the development that will be accessible by the public. The position of the proposed open space on the western boundary provides a continuation of the existing public open space located on the adjacent City of Sydney Redfern Community Centre site and also provides a buffer between the proposed 3-4 storey residential buildings and the two storey buildings located off Caroline Street.

Bordered by Caroline Street and mixed use commercial premises to the south, residential flat buildings to the north and the proposed Elouera Gymnasium to the east, the proposed open space will have a high level of passive surveillance for the majority of the day given the variety of uses surrounding the site. The position of the large area of open space towards the southern end of the site also allows for a visual connection to the space from pedestrians travelling along Lawson Street. The casual movement of pedestrians to and from Redfern Station again provides for a higher level of passive surveillance.

The open space will 'open up' the site to the surrounding locality and encourage activation and participation. In particular sight lines are opened up through the site from Lawson Street, across open space to the proposed Gymnasium and the existing Redfern Community Centre. This is considered a positive aspect of the site and public domain layout.

5.3.2 Public Domain

The Concept Plan provides for a development that reinforces the existing public thoroughfares of Eveleigh Street, Caroline Street, Louis Street and Vine Street. By providing a clearly defined street edge and addressing the street by providing clear residential address and commercial entry points, a more legible and inviting environment is created, with the pedestrian confident of the boundary between public and private land, encouraging them into the site and ensuring the site is better integrated into the surrounding urban pattern.

A level of general passive surveillance is created across the site with an interactive transparency between public and private space created through the use of windows and openings addressing the street.

The perceived increase in public open space onsite through it being clearly defined by the built form proposed is an appropriate response to the site in terms of a balance of built form, public open space and a breaking down of perceived barriers between the site and its surrounds. The proposed 'Red Square' a shared zone at the southern edge of the site provides a gradual transition area to the site from the public domain of the railway station, and is intended to be a public space that invites pedestrians into the site.

The Concept Plan results in the loss of Eveleigh Lane, to be incorporated within the residential development site, and the realignment of Caroline Lane. Currently the laneways do not act as major vehicle or pedestrian thoroughfares around or through the site, and the fine grain form of the area allows for a variety of access routes. By developing the laneways the Concept Plan allows for the efficient and economic development of the land.

The area of Eveleigh Lane generally remains unbuilt and will become communal open space for the residential development. Buildings are to be sited along its central alignment providing a continuation of the view corridors through this area. The residential buildings will provide good opportunities for passive surveillance of this area.

The reorientation of Caroline Lane also does not impact on any significant view corridor, and with the end of the lane ending in an area of open space, exposure and visibility to the laneway area is increased, to what will be the rear service areas of the commercial buildings.

5.3.3 Detailed Design

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 ensures sightlines are achieved between public and private spaces. In this regard, the alignment of buildings promotes sightlines from Lawson Street through the site to the southern boundary. The location of buildings,

wrapped around the proposed public open spaces 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 open space that is accessible to both residents and workers of the site as well as the general public will reinforce the safety and security of that space, ensure passive surveillance over open space areas as well as promote a sense of ownership.

Whilst the specific details of the various elements of the proposal will be considered and resolved at subsequent stages, the overall layout of buildings and placement of uses relative to the proposed open space has been considered with regard to 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, the public domain and linkages to the surrounding locality to better integrate the site in the context of the wider community.

The detailed treatment of public domain areas is important to the creation of quality urban spaces which should reinforce the sense of place for the local community. A modification to the Concept Plan will require detailed landscape plans to be submitted at subsequent stages of the development, informed by the following principles:

- Integration of environmental infrastructure – enhance environmental quality within the public domain through use of water sensitive urban design principles.
- Design of public and private open space – create a safe environment based on CPTED principles.
- Accessible public domain – provide access to both pedestrians and cyclists, and opportunities for shared spaces.
- Amenable public domain – provide shaded areas and logical pedestrian connections within and between precincts.

5.4 TRAFFIC IMPACTS, PARKING & ACCESS

5.4.1 Traffic Impacts

From an assessment of the Proponent's traffic report it can be concluded that the traffic impact of the development will be minor and that the traffic generated by the proposed land uses could be accommodated within the existing road network. The site is located within proximity to Redfern Railway Station and high frequency bus services along key routes.

The high accessibility of public transport to the site, when utilised by residents, workers and users of the site, will reduce the number of vehicle movements in and out of the site thus easing congestion on the local road network. A cap regulating on-site parking will contribute to encourage the use of public transport.

Changes proposed to the existing road network as part of the Concept Plan include the closure of Eveleigh Lane, the realignment of the eastern end of Caroline Lane and the potential extension to the Eveleigh Street shared zone north to Vine Street. These changes, whilst acknowledged by the City of Sydney at land owners consent stage will be subject to a separate application for the consideration of City of Sydney's Traffic Committee and the Roads and Traffic Authority (RTA) at a subsequent stage. The realignment of Caroline Lane does not impact on the function or accessibility of this lane way for existing and future residents.

Further detailed analysis of proposed basement car parking is required to ensure minimal impacts on the surrounding road network. This requirement can be satisfied at subsequent stages of the development.

5.4.2 Car Parking

The MP SEPP does not indicate car parking requirements for the site. THE RWA BEP provides general objectives in relation to car parking but also does not provide any numerical requirements. The proposal adopts 'restrained' parking rates set out in the former South Sydney DCP 11 for both residential and commercial developments, and from these rates, the Concept Plan proposes 71 car parking spaces, allocated as follows:

Concept Plan Details		Maximum required spaces	Proposed spaces
Retail -	575sqm	@ 1/50sqm = 11 spaces	3 spaces
Commercial -	6000sqm	@ 1/125sqm = 48 spaces	7 spaces
Gymnasium -	710sqm	@ 3/100 sqm = 21 spaces	2 spaces
Art Gallery -	1400sqm	@1/200 sqm = 7 spaces	4 spaces
Community Use-	185sqm	@1/30 sqm = 6 spaces	No spaces
Medical Centre -	20 beds	@ 1/3 beds, @ 2/doctor = 20 spaces	4 spaces
4 x 1 bedroom units		@ 0.5/unit = 2 spaces	45 spaces total (not allocated)
24 x 2 bedroom units		@ 0.8/unit = 19 spaces	
34 x 3 or more bedroom units		@ 1.2/unit = 41 spaces	
Emergency vehicles		n/a	6 spaces
		Total MAX = 175 spaces	Total proposed 71 spaces

Table 3 – Car parking rates

This total figure and the adopted rates are considered acceptable based on the proposed GFA and the site's accessibility to public transport. The rates for residential development reflect the RWA's mode share target of 60% for non-car travel within its area, and the wider mode share targets of the City of Sydney. Rates for commercial uses are considered to be in keeping with the objectives of both the City of Sydney and the RWA to constrain demand for commuter car travel while providing a sufficient level of parking to prevent excessive street parking. Similarly, the rates adopted for retail, cultural and community uses are designed to reflect the accessibility of the site to public transport.

Following public consultation, the Proponent increased the number of off street car parking spaces by 36 thus reducing the demand for on-street parking spaces. Further detailed analysis of proposed basement car parking is required to ensure minimal impacts on the surrounding road network. A modification to the Concept Plan imposes a maximum cap of 71 spaces on the site (excluding any new on-street parking within the site) with basement configurations, layouts and access arrangement to be further detailed at subsequent stages of the development.

5.4.3 Access

Existing two way access points will be utilised on site including Eveleigh Street to the north and south and Caroline and Vine Streets to the west.

The Proponent has proposed a pedestrian activated traffic signal at the corner of Lawson and Eveleigh Street to enhance the safety of pedestrians walking between the site and Redfern Station. These works will require a separate application for the consideration of Councils Traffic Committee and the RTA at a subsequent stage.

Further detailed analysis of proposed basement car parking is required to ensure minimal impacts on the surrounding road network especially in terms of the layout, function and arrangement of the residential basement parking facilities, with a co-location of entry and exit points preferred in order to minimise impacts on local traffic conditions as well as general streetscape impacts. This requirement can be satisfied at subsequent stages of the development.

5.5 HERITAGE & ARCHAEOLOGY

The site does not contain any items of listed heritage significance nor is the site listed as within a conservation area by any governing EPIs. The site is however adjacent to the

Darlington Heritage Conservation area as listed by the City of Sydney under the South Sydney LEP 1998.

Through a detailed design and consultation process it is considered that the Concept Plan respects and endorses the social and historic significance of the site. The Concept Plan address the qualities of the adjacent Conservation Area through its arrangement of uses and built form, by ensuring that the scale of the buildings proposed do not dominate the streetscape. An even balance between open space and built form is provided to ensure a gradual transition to the domestic scale of the Conservation Area.

A modification to the Concept Plan will require the historic social significance of the site to be maintained and recognised through a comprehensive interpretation strategy, and will require archaeological investigations to be undertaken onsite prior to any development works.

5.6 ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The commitments made by the EA to achieve high sustainability targets for both commercial and residential development will contribute to achieving sustainable design benchmarked against objective rating schemes. As discussed in Section 4.4.1, the Proponent has demonstrated at Concept Plan stage their commitment to achieving a development that is ecologically sustainable and this will be further assessed in detail at subsequent stages of the development.

The site is not subject to any known flooding impacts. The natural fall of the site from south to north provides an adequate pathway for stormwater runoff and further detailed design at subsequent stages will require the inclusion of OSD and measures to ensure the site is appropriately drained.

The proposed orientation of building envelopes intended to maximise amenity to residential apartments and office buildings will contribute to achieving a high level of ESD initiatives such as solar access. Water reuse and recycling initiatives in the statement of commitments will also contribute to ESD.

The Concept Plan is compliant with the Objects of the EP&A Act, including the 5 accepted ESD principles, and is therefore considered to satisfactorily address this issue. A modification to the Concept Plan will require the introduction of sustainability targets for commercial and residential development which will require the development to achieve best practice ratings.

5.7 PROJECT DELIVERY AND FUTURE MANAGEMENT

As well as the benefits of the proposed mixed use precinct identified in 5.1 above, the land use provisions detailed in clause 10 and 21 of the MP SEPP also seek to ensure the financial stability of development. The future development should not be reliant upon the success of one particular use in funding the completion of a project. In this regard project delivery is a key matter of public interest, for the local community and also the community at large.

As the Concept Plan proposes a variation to the land use controls stipulated in the MP SEPP, concerns were raised during the consultation process that the delivery of the project could not be ensured as the development was too reliant on the success of the primarily residential Stage 1 development. This issue was addressed in the response to submissions, with the Proponent amending the Concept Plan and providing a commitment that 1,458m² of commercial/retail space (originally proposed for Stage 2) would be included in Stage 1, providing the mix of uses envisaged by the MP SEPP. This commitment is considered a satisfactory response to concerns raised during the consultation process and ensures that an appropriate mix of uses is provided at the initial stage of the development, increasing the projects level of financial sustainability.

The proposed residential portion of the Project has been deliberately designed by the Proponent to be adaptively utilised as either a strata development, rented housing,

affordable housing, or to be sold as individual units. Although no concerns are raised in regards to these potential arrangements, the limited level of detail and certainty provided does not allow a determination of appropriate affordable housing and section 94 contribution requirements at this time.

Further detail will be required to be submitted at subsequent assessment stages in order for the consent authority to ensure affordable housing and section 94 contributions have been appropriately addressed by the Proponent.

The level of information provided in regards to the future management of the site is considered sufficient for Concept Plan assessment purposes. The Proponent has provided a commitment to provide the required site management during construction, including potential rail impacts created by the development of land in close proximity to Railcorp property.

A more detailed level of information will be required to be submitted at subsequent assessment stages in order for the consent authority to ensure the safe and responsible management of the site during construction and that an appropriate level of vehicle and pedestrian management is in place during construction. These matters will be dealt with by a modification to the Concept Plan.

5.7.1 Future Applications

The Concept Plan has provided appropriate bulk, height, and floor space ratio for the proposed buildings, and has also identified the appropriate distribution of uses across the site, including the adequate provision of open space that will be made available to the public. Therefore future stages of the development of this site can be considered a local planning matter.

The RWA Affordable Housing and Development Contributions Plans are only applicable where the Minister is the Consent Authority. It is considered appropriate that any contributions obtained from the development of the site be re-invested into the Redfern-Waterloo area. Accordingly, the Concept Plan recommends that future stages of the application are considered under Part 3A of the EP&A Act in accordance with Schedule 3, Part 5, Division 2, clause 5 of the Major Projects SEPP and development applications should be considered under Part 4 of the EP&A Act in accordance with Schedule 6, Part 1, clause 2 of the Major Projects SEPP.

The Minister would remain the consent authority for Part 3A projects under the EP&A Act and the Minister would remain the consent authority for development considered under Part 4 of the EP&A Act pursuant to clause 9A of the Major Projects SEPP. The assessment could then be delegated to the RWA, who would be more appropriate to assess and resolve the local planning issues.

It is expected that most contributions would be waived given the development is largely for affordable housing and community uses. However this can only be determined at the subsequent development stages and identifying the Minister as the future consent authority ensures any contributions are re-invested in the Redfern-Waterloo areas.

5.8 SOCIAL & ECONOMIC IMPACTS

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

Housing – the new development will provide:

- increased housing within proximity to public transport, community facilities, employment, educational, commercial and retail centres;
- a range of housing types that responds to the social mix of the area; and
- culturally appropriate and sustainable housing for Indigenous residents;

Public Open Space – the provision of 500m² of open space that will be made available to the public will be a direct benefit to the community.

Community Facility – the provision of community facilities and services will be a direct benefit to the community.

Jobs – 200 full time equivalent jobs will be created during the construction phase of the development construction jobs, as well as 100 full time equivalent on-going operational jobs.

Sustainability – commercial uses located close to major railway station to encourage sustainable travel schemes.

Heritage Conservation – the historical and social importance of the Site will be respected and incorporated into the new mixed use development through the implementation of a Heritage Interpretation Strategy.

The proposed development will generate a mix of uses on a currently underutilised parcel of land, which will have positive social and economic impacts to the community.

5.9 PUBLIC INTEREST

The proposed redevelopment of the site will provide significant benefits to the community, including:

- provision of culturally appropriate housing and support facilities in a vibrant, safe and sustainable community for Indigenous Australians;
- provision of housing choice, including affordable housing;
- employment opportunities through the construction and on-going phase of the development;
- provision of community facilities;
- provision of cultural facilities;
- provision of appropriate health facilities; and
- provision of public open space.

The proposal will result in an appropriate building form and urban design that ensures that the development will not have any adverse impacts upon the amenity currently enjoyed by the local community. Amendments made to the staging of the development to include an increased portion of commercial/retail development into Stage 1 will ensure a mix of land uses is created throughout the project, encouraging investment and increasing the financial sustainability of the development in line with the provisions of the RWA BEP.

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

6 CONSULTATION AND ISSUES RAISED

6.1 PUBLIC EXHIBITION

The Concept Plan Application was exhibited from 24 September to 24 October 2008 and was published in the Sydney Morning Herald and Daily Telegraph. The EA was made available to the public in the Department's Information Centre and at the office of City of Sydney Council's Town Hall House office as well as the Redfern Neighbourhood Centre.

6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

During the public exhibition period the Department received a total of 90 public submissions, and 5 from public authorities. Overall, there is general support for the redevelopment of the site to enable regeneration and social renewal however some issues have been raised relating to governance, urban design and safety/crime prevention, and delivery of the project. The issues raised are summarised below.

6.2.1 Energy Australia

Energy Australia do not raise objection to the proposal but requested collaboration with the Proponent in relation to future developments associated with the Concept Plan as, depending on the developments electricity requirements, they may require the establishment of a new electricity substation on site.

The request from Energy Australia has been noted by the Proponent in their Statement of Commitments.

6.2.2 Sydney Water

Sydney Water had no objection to the proposal however advised that the Proponent will require a Section 73 Compliance Certificate for all future projects on site. 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.

The Proponent has noted Sydney Water's comments in their Statement of Commitments.

6.2.3 RailCorp

RailCorp raised issues that can be included as modifications to the Concept Plan. Specifically, the matters raised require the Proponent to prepare a geotechnical and structural report, excavation and construction methodology, stormwater plan and hydrology report, acoustic assessment, cross sectional drawings showing ground surface, rail tracks, sub soil profile, basement excavation and structural design of sub ground support for any structure within 25m of the rail corridor that involves ground penetration of greater than 2m.

Comment

Specific matters raised about the design and finishes of buildings on the site, including noise and vibration, location of balconies and windows, reflective materials, fencing and landscaping can be addressed at subsequent stages and have been included as modifications to the Concept Plan.

6.2.4 Redfern – Waterloo Authority

The RWA provide general support to the proposal indicating that a positive level of community, cultural, commercial and retail uses has been provided for. The RWA raise issues regarding the staging and delivery of the project, questioning the Concept Plan's reliance on the Stage 1 residential development to be successful in order for the remainder of the Concept Plan to be realised.

The RWA also raise detailed design issues regarding residential amenity, CPTED, building form and siting.

Comment

In response to staging and delivery concerns the Proponent has included a commitment to providing retail and commercial development in Stage 1 of the development to ensure an increased level of financial sustainability for the project.

Through a thorough assessment of the Concept Plan the proposed land uses, densities, building locations and envelopes, building heights, vehicular and pedestrian access, open space, landscaping, and staging of the Plan have been found acceptable and generally in accordance with the objectives of the MP SEPP and the RWA BEP. Detailed design issues such as those raised by the RWA can be better dealt with at subsequent stages of the development.

6.2.5 City of Sydney

Council has provided landowners consent to the lodgement of the Concept Plan application, in respect of the laneways which are to be incorporated into the development. Council is supportive of the intention to redevelop the site however, has made specific comments with regard to the impacts of such a proposal, including sustainability, public

domain design, materials and finishes, heritage and heritage interpretation, detailed architectural design, residential amenity and CPTED. Council notes that *"as a stakeholder (they) must be identified in the future development and consultation methods."*

Specific matters of concern raised which are applicable to the Concept Plan as proposed included:

- the ability of the project to satisfy ESD principles;
- an insufficient distribution of uses across the site;
- an insufficient amount of public open space provided.

Comment

The proposal demonstrates a commitment to sustainable development, as discussed in this report, and this is reflected in the Statement of Commitments. A modification to the Concept Plan requires commercial and residential developments to demonstrate compliance with ESD best practice ratings.

The distribution of uses, including residential and commercial uses has been planned in a way that is responsive to the site's existing opportunities and constraints, in order to minimise residential amenity impacts, safety and security concerns and to maximise commercial and retail exposure to major train and traffic routes. The reasoning behind the distribution of uses proposed under the Concept Plan is therefore considered well founded and in line with the objectives of the RWA BEP.

The Concept Plan seeks to formalise public open space onsite by providing 500m² of open space for use by the public either through dedication or Easements or Right of Ways. This amount is seen as reasonable as it still allows for the efficient and economic development of the land.

The Concept plan as proposed allows for the level of detailed design discussed by the City of Sydney in their submission. A detailed assessment of design excellence will be undertaken at subsequent stages of the development to ensure compliance with the design requirements of the MP SEPP.

6.2.6 Public submissions

A total of 90 submissions were received from the public, of which 73 were in support of the proposal. Key issues raised by the remaining submissions are as follows. Remaining issues are addressed further in this assessment report and by the Proponent in their response to submissions in Appendix C:

- *Provision for greater mix of uses*

Concern was raised in regards to the non-compliance with density controls under the MP SEPP. It was perceived that the direction taken by the Proponent in proving a mix of uses across the site instead of providing a mix of uses on each lot detracted from the objective of the MP SEPPs density controls and ensured failure of the Concept Plan in terms of providing a safe and lively built environment. It was suggested that by not providing a mix of uses across every stage of the development (i.e. no commercial/retail use provided in Stage 1 of the development), the development was unsustainable and not viable.

Comment:

The approach taken by the Proponent in positioning uses onsite has been in response to the constraints and opportunities presented at the site. The Proponent has managed to achieve the mix of uses required by the density controls under the MP SEPP in a consolidated site approach, whilst also ensuring the maximum exposure for commercial and retail tenancies, the protection of amenity for future residents, and responding to existing land use patterns of the surrounding precinct. The variances to the density controls under the MP SEPP are marginal, and achieve the overall objective of providing a mixed use precinct across the site.

In response to concerns raised the Proponent has included a commitment to providing retail and commercial development in all stages of the development to ensure an increased level of financial sustainability for the project.

- *Closure of laneways*

Concern has been raised about the closure of laneways and potential safety issues.

Comment:

The Concept Plan provides good opportunities for passive surveillance across the development site. The residential development will afford a high level of visibility to the internal areas of the site where Eveleigh Lane currently exists, and the reorientation of Caroline Lane will end in a large area of open space with a high degree of exposure.

The final detail of all private and public open space areas will be the subject of future applications, and detailed safety and security matters will be considered at that time. Overall the closure of the laneways allows for a better outcome for the precinct and a more orderly use of the land.

- *Non-compliance with FSR and Building Height*

The Concept Plans non-compliance with height and GFA controls defined under the MP SEPP have been highlighted as reasons not to support the Concept Plan, with the non-compliances leading to an over development of the site, a development out of scale with the existing surrounding built environment and a precinct that does not achieve the general objectives of the Business – Mixed Use zoning.

Comment:

Provisions of the MP SEPP allow the Minister to approve a Concept Plan which exceeds the maximum height and floor space ratio controls defined in the MP SEPP. The Proponent has demonstrated that through a thorough site analysis, consultation and design development, the objectives of the Business – Mixed Use zone and the RWA BEP can be better achieved with minor variations to the development standards imposed on the site under the MP SEPP. The non-compliances relate primarily to the height of Lot 2 exceeding the height development standard of the MP SEPP by 1 storey and the GFA of lots 1, 2 and 3 exceeding the maximums imposed for the lots by the MP SEPP.

It is considered that the Proponent's consolidated site approach is justified in this instance and that the scale and density of the Concept Plan is in keeping with the objectives of the Business – Mixed Use zoning and the guiding objectives of the RWA BEP in providing a precinct that creates a vibrant sustainable business and residential community, that responds to the scale and density of its surrounds.

- *Project delivery*

The capacity of the Proponent was questioned in relation to delivering the Project given the variances proposed to the density standards imposed by the MP SEPP and the excessive provision of housing on site.

Comment:

Comments in relation to the capacity and credibility of the Proponent are not a relevant consideration under the provisions of the EP&A Act. In response to concerns raised the Proponent has included a commitment to providing retail and commercial development in all stages of the development to ensure an increased level of financial sustainability for the project.

- *Long term management of the site*

The capacity and credibility of the Proponent was questioned in relation to managing the Project and site into perpetuity.

Comment:

Comments in relation to the capacity of the Proponent are not a relevant consideration under the provisions of the EP&A Act.

7 CONCLUSION

The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions relate to building density and land use controls, heights, public open space, sustainability, and project delivery. The Department is satisfied the Proponent's response to the key issues will ensure there are minimal environmental impacts as a result of the proposal.

Key features of the Concept Plan include the provision of appropriate housing and services for the indigenous community as well as areas of dedicated public open space and a formalised built environment that contributes to neighbourhood regeneration. The public benefit of the redevelopment is highly desirable, with the provision of new housing and job opportunities in a sustainable and appropriate manner.

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.

Key recommendations made to the proposal and included as modifications to the Concept Plan are as follows:

- further detailed designs for buildings, in particular retail, commercial and community use buildings;
- further detailed analysis of proposed basement car parking to minimise impacts on surrounding road network;
- staging of development to ensure mix of uses;
- heritage interpretation; and
- requirements to incorporate car share schemes in future stages of the development.


Accordingly the Department has determined that building heights, density and arrangement of uses on the site are justified and that the site is suitable for the proposed development. The Department considered that the development is in the public interest and recommends that the Concept Plan be approved, subject to the modifications identified in this report.

8 RECOMMENDATION

It is recommended that the Minister:

- (A) **consider** all relevant matters prescribed under section 75O(2) of the *Environmental Planning and Assessment Act, 1979*, including those relevant matters prescribed by section 75N and 75I(2) as contained in 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* having considered all relevant matters in accordance with (A) above; and
- (C) **sign** the Instrument of Approval (**TAG B**).

Prepared by:



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Endorsed by:



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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	06_0101
Project	Pemulwuy Mixed Use Development
Location	Redfern
Proponent	Aboriginal Housing Company Ltd
Date issued	6 October 2006
Expiry date	2 years from the date of issue

General requirements

The Environmental Assessment (EA) must include:

- an executive summary;
- landowners' consent for all properties within the development site where work is proposed or where properties are included in floor space ratio (FSR) calculation;
- demonstration as to how residential and non-residential components of the project will be integrated for each stage to ensure the achievement of a mixed use precinct;
- demonstration as to how the development, when completed, will achieve the objectives of the SEPP (Major Projects) Amendment No. 7 2005 (Redfern-Waterloo) for the Business zone – mixed use;
- a demonstrated bona fide commitment and achievability of a genuine mixed used development;
- description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances (including existing access ramps);
- details of the proposed layout, land uses, size and scale of the main components of the development, FSR, height (AHD) and any staging of the proposal;
- a detailed justification for the proposed FSR and land use mix having regard to any relevant impacts;
- Details of the methodology used for the calculation of the FSR in Accordance with the relevant Environmental Planning Instruments (EPI);
- an assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified below;
- a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;
- a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;
- 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; and
- a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is not false or

misleading.

The Environmental Assessment must address the following key issues:

Relevant EPIs and Guidelines to be addressed

- Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including:
 - SEPP (Major Projects) Amendment No.7 2005 (Redfern-Waterloo), with particular regard to the objectives of the Business zone - mixed use;
 - SEPP 65 – Residential Flat Design Code (if applicable);
 - SEPP 55 – Remediation of Land;
 - SEPP Building Sustainable Development Index: (BASIX);
 - Standard Instrument (Local Environmental Plans) Order 2006; and
 - the Redfern-Waterloo Built Environment Plan (Stage One) August 2006.
- Any contributions plan in place prior to the determination of the application; and
- Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.

Building design

The proposal must exhibit design excellence in accordance with the design excellence provision contained in the SEPP Major Projects (2005) Amendment No. 7, with particular regard to the principles outlined below. Visual aids such as a photomontage must be used to demonstrate visual impacts.

- A high standard of architectural design, materials and detailing appropriate to the building type and location.
- Assessment of the impacts of the proposals in particular having regard to the siting and design, bulk and scale relationships, and the resultant architectural composition relative to the existing and surrounding built form. A design statement prepared by a registered architect is to be submitted.
- Consideration of: urban design elements and treatment to proposed areas of public domain, activation of ground level spaces and links between proposed buildings and other existing public facilities; the architectural language of the buildings to ensure an appropriate urban design link between them, and the existing traditional architecture that dominates Caroline, Lawson, Louis and Eveleigh Streets and the southern side of Vine Street.
- Clearly defined building entries must be provided from the street and the proposal must provide details of adequate pedestrian and vehicle access, and residential and non-residential access.
- Solar access – design measures to minimise overshadowing of the adjacent residential areas and public domain.
- Minimisation of wind impacts.
- Reflectivity – selection of materials to minimise glare reflectivity impacts.
- Measures to be incorporated to ensure water conservation.

Ecologically Sustainable Development

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

Employment and Enterprise

Details of the potential local employment generation of the project, particularly

Key issues

for Aboriginal people. Details of opportunities for Aboriginal and local enterprise are also required.

Social Impacts

Address the relocation of existing residents during the construction phase of the proposed development and any longer term impacts on the immediate and wider Aboriginal community. As some of the existing houses within the project site provide a source of affordable housing for Aboriginal people, the impact on these residents and the neighbouring community must be addressed. The project shall identify employment, education, cultural, social and residential opportunities that will be provided to support the development of a sustainable community. The project must address long term social sustainability issues such as governance, housing mix, community safety, local community impacts and minimisation of crime and anti-social behaviour.

Safety/ Public Domain/ Pedestrians

The environmental assessment is to demonstrate how the proposed building envelope, building design and treatment of the public domain and open spaces will:

- Maximise safety and security within the public domain, particularly for pedestrians travelling between the site and the railway station. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications* 2001 and the NSW Police Safer by Design Evaluation of 3 May 2006;
- Maximise surveillance and activity within the public domain;
- Maximise safety and security for occupants of the buildings;
- Ensure access for people with disabilities;
- Minimise potential for vehicle and pedestrian conflicts; and
- Demonstrate good urban design and quality landscaping of the public domain.

Heritage

A heritage impact statement of potential heritage impacts of the project on the site, buildings and existing archaeological items is required having regard to the Heritage Office guideline *Assessing Heritage Significance*. Specifically, the design and form of the proposal needs to respond, and assess any impacts on, the character of the adjacent Darlington Heritage Conservation area (under the former South Sydney planning controls). The statement is to recommend actions to mitigate any impacts.

If any impact is anticipated on any archaeological relics, it is recommended that a research design for the proposed excavation should either be included in the Heritage Impact Statement or submitted as a separate document as part of the Environmental Assessment.

Traffic Impacts (Construction and Operational)

A traffic and transport impact study shall be submitted with the environmental assessment which assesses the traffic and transport impacts of the project. The study should include:

- 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; 10 year projected volumes with and without the development; 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.

Rail Impacts

Address noise and vibration impacts from adjacent rail activities, including mitigation and monitoring measures where appropriate, consistent with guidance published by Rail Corp including *Interim Guidelines for Applicants – Consideration of Rail Noise and Vibration in the Planning Process* and *Interim Guidelines for Councils – Consideration of Rail Noise and Vibration in the Planning Process*.

Identify the existence of any existing RailCorp services (such as pipes and cables) and structures within the development area by initiating the appropriate service searches. Where RailCorp services exist, an agreement must be made with RailCorp regarding the accommodation of the services.

Construction Impacts

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

Potential Contamination Onsite

The environmental assessment is to demonstrate compliance with the requirements of SEPP 55.

Drainage and Flooding

The environmental assessment is to address drainage/flooding issues associated with the development.

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.

Land Ownership and Tenure

Details should be provided of current land ownership and proposed management of future ownership in the concept plan area. This should include public land, proposed open space and road reserves. Any proposed road closures should be identified.

Consultation

During the preparation of the Environmental Assessment, you should perform an appropriate and justified level of consultation with relevant local, State or Commonwealth government authorities, service providers and the community, with particular regard to:

- Redfern Waterloo Authority
- Rail Corp
- NSW Roads and Traffic Authority
- NSW Heritage Council
- NSW Police

- City of Sydney Council
- Department of Environment and Conservation (contamination)
- Local Aboriginal and community groups

Given the significance of the Block to the wider Aboriginal community details of the consultation undertaken with the Aboriginal community in the formulation and design of the project should be provided.

The consultation process and the issues raised should be described in the Environmental Assessment.

Deemed refusal period

Under clause 8E (2) of the *Environmental Planning and Assessment Regulation 2000*, the applicable deemed refusal period is 90 days from the end of the Proponent's Environment Assessment period for the project.

APPENDIX B. RESPONSE TO SUBMISSIONS

A response from the Proponent to matters raised in submissions is addressed in the response to submissions.

APPENDIX C. ENVIRONEMNTAL ASSESSMENT

To be provided on disk.