

Preliminary Environmental Assessment

Modification of Concept Plan Approval
No.06_0101 - Residential/Retail/
Commercial/Community Development

Pemulwuy Project - The Block
Eveleigh/Vine/Louis/Caroline and
Lawson Streets
REDFERN

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Appendix 1 **Development Concept Plans**

1.0 Introduction

The Minister for Planning on 30 June 2009 issued Concept Plan Approval No.06_0101 to the Aboriginal Housing Company (AHC) for the Pemulwuy Project, for the redevelopment of the land known as The Block in Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, for a mixed-use development which includes residential, commercial, retail, community and cultural development, open space and landscaping.

The application for consent had been submitted to the Department of Planning in 2006 as a major project under the terms of Section 75E of the Environmental Planning and Assessment Act 1979 (*EP&A Act*) and State Environmental Planning Policy (Major Projects) 2005, (*Major Projects SEPP*).

The approved concept plan involved:

- 15,500m² of gross floor area comprising a maximum of:
 - 7,250m² of retail/commercial gross floor area;
 - 6,200m² of residential gross floor area (excluding residential respite care); and
 - 2,050m² of cultural/community gross floor area (including residential respite care);
- a minimum of 500m² of public open space;
- maximum building heights and envelopes identified on plans specified in the approval;
- retention and adaptive re-use of 1-11 Vine Street for community use; and
- a maximum of seventy-one (71) car parking spaces.

Since the issuing of the approval, the project has been reviewed in conjunction with the AHC to ensure that it meets the needs of the local indigenous community and is economically viable and deliverable.

This review has resulted in a number of design modifications and refinements to the approved concept plan.

The modified concept plans require some variations to be made to the development standards relating to floor space ratio and height contained by Clauses 21(1) and (2) of Part 5 - The Redfern-Waterloo Authority Sites of Schedule 3 - State Significant Sites in the *Major Projects SEPP*.

It is proposed to lodge an application to modify the plans approved by virtue of Concept Plan Approval No.06_0101 under the terms of Section 75W of the *EP&A Act*.

The application will also seek a declaration from the Minister that no further environmental assessment is required for the project pursuant to Section 75P(1) of the *Act*.

The purpose of this preliminary assessment is to obtain the Director-General requirements which identify key issues to be addressed in the application to modify the approval and in the accompanying Environmental Assessment.

This assessment:

- provides details of the site;
- provides details of the modified development concept plans for the Pemulwuy Project;
- summarises the environmental planning legislation applying to the land and the project; and
- identifies the key issues associated with the proposed development.

2.0 Site Details

The project involves land in Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, indicated on the plan contained in **Figure 1** as P1, P2 and P3.

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

Precinct 1 (P1)	A precinct designed to accommodate sixty-two (62) dwellings, a gymnasium and fitness centre and limited retail/commercial space in the street block bounded by Eveleigh, Vine, Louis and Caroline Streets
Precinct 2 (P2)	A precinct designed to accommodate retail and commercial development at street level fronting Lawson and Eveleigh Streets and student housing at the upper levels of development
Precinct 3 (P3)	A precinct designed to accommodate commercial office space and an art gallery fronting Eveleigh Street

It is also proposed to erect a structure over the railway infrastructure adjacent to the Lawson Street/Eveleigh Street intersection and demolish a section of the wall on the northern side of the Lawson Street roadbridge so as to open up vista into The Block and better integrate it into the surrounding community.



**Figure 1
Locality Plan**

3.0 The Project

Since the issuing of Concept Plan Approval No.06_0101, the project has been reviewed in conjunction with the AHC to ensure that it meets the needs of the local indigenous community and is economically viable and deliverable.

This review has resulted in a number of design modifications and refinements to the approved concept plan.

The modified project involves:

Precinct 1	<p>Precinct 1 is to contain:</p> <ul style="list-style-type: none"> • a six (6) storey building containing: <ul style="list-style-type: none"> • a gymnasium and fitness centre with a floor area of some 840m² and two (2) retail/commercial tenancies with a total floor area of some 340m² at the street level; and • a total of twenty-six (26) apartments comprising 21 x 2-bedroom and 5 x 3-bedroom apartments at its upper floor levels; • a two (2) storey town house complex containing a total of thirty-six (36) accommodations comprising 6 x 2-bedroom, 18 x 3-bedroom and 12 x 4-bedroom dwellings; • two (2) basement car parking levels accommodating a total of 344 car spaces; and • a public open area adjacent to Caroline Street.
Precinct 2	<p>Precinct 2 is to contain a six (6)/part seven (7) storey building containing:</p> <ul style="list-style-type: none"> • retail areas with a total floor area of 465m² fronting Lawson, Eveleigh and Caroline Streets at the street level; and • student housing comprising a total of seventy-four (74) bedrooms in 2 x 2-bedroom, 3 x 3-bedroom, 8 x 4-bedroom, 1 x 5-bedroom and 4 x 6-bedroom apartments; and • a public open area adjacent to the Eveleigh/Caroline Street corner of the precinct.
Precinct 3	<p>Precinct 3 is to contain a four (4) storey building fronting Eveleigh Street comprising:</p> <ul style="list-style-type: none"> • an art gallery at Levels 1 and 2; and • commercial office space in the remainder of the building.

Plans indicating the modified development, prepared by Nordon Jago Architects, are contained in **Appendix 1**.

The student housing is to accommodate both indigenous and non-indigenous students attending nearby tertiary educational institutions.

The basic elements of the plans approved by virtue of Concept Plan Approval No.06_0101 have essentially been retained, albeit in a modified form, with the exception of the Elders Community Centre and the health and respite centre.

These facilities are now provided in the Wyanga Aboriginal Aged Care facility at 35 Cope Street, Redfern, and the AHC does not propose to duplicate these facilities in the modified project.

A comparative analysis between the development in Concept Plan Approval No.06_0101 and the modified project is as follows.

Precinct 1

Concept Plan Approval No.06_0101			Modified Project		
Element	GFA	Storeys	Element	GFA	Storeys
Residential - 62 Dwellings	6,200m ²	2 to 4	Residential - 62 Dwellings	7,250m ²	2 to 6
Elders Community Centre 1-11 Vine Street	330m ²		Gymnasium and Fitness Centre	840m ²	
			Retail/Commercial Tenancies	340m ²	
Total:			Total:		
	6,530m ²			8,430m ²	

Precinct 2

Concept Plan Approval No.06_0101			Modified Project		
Element	GFA	Storeys	Element	GFA	Storeys
Retail/Commercial Tenancies	2,000m ²	3	Retail/Commercial Tenancies	465m ²	6 to 7
Health and Respite Centre	900m ²		Student housing	2,560m ²	
Total:			Total:		
	2,900m ²			3,025m ²	

Precinct 3

Concept Plan Approval No.06_0101			Modified Project		
Element	GFA	Storeys	Element	GFA	Storeys
Commercial Offices	3,020m ²	3	Commercial Offices	5,075m ²	4
Art Gallery	2,050m ²		Art Gallery		
Gymnasium and Fitness Centre	1,000m ²				
Total:			Total:		
	6,070m ²			5,075m ²	

The modified project will increase the approved gross floor area by some 1,030m², or 6.6%.

4.0 Environmental Planning Framework

4.1 Major Projects SEPP

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

The site is within the Redfern-Waterloo Authority Sites identified on Map 3 of the Schedule referred to in Part 5 in Schedule 3 - State Significant Sites of the *Policy*, which was made on 25 May 2005, and the land is zoned Business Zone - Mixed Use under the terms of the *Policy*.

The various elements in the proposed development are permissible, with the Minister's consent, within the Business Zone - Mixed Use zone under the terms of Clause 10(2) and (3) of Part 5.

The proposal is consistent with the relevant objectives of the zone contained in Clause 10(1) of Part 5, in that:

- it will support the development of a sustainable community with a mix of employment, educational, cultural and residential opportunities;
- it will establish employment generating activities by providing retail, office, business, educational, cultural and community facilities;
- it will establish residential development that is compatible with non-residential development on the land and in the immediate locality;
- it will maximise public transport patronage and encourage walking and cycling;
- it will add to the vitality and safety of the community and public domain;
- it will be designed to achieve design excellence; and
- it will establish landscaped public open spaces with strong visual and aesthetic links which will significantly enhance the amenity of the area.

Clauses 21(1) and (2) of Part 5 of the *Major Projects SEPP*, provide the following development standards for building height and floor space ratio for development on this land:

Precinct	Building Height	Floor Space Ratio	
		Maximum	Maximum Residential
1	3 storeys	1.5:1	0.75:1
2	3 storeys	1.5:1	0.75:1
3	5 storeys	2:1	1:1

Variations to these standards were approved by virtue of Concept Plan Approval 06_0101 issued on 30 June 2009.

The following variations to these standards are required to facilitate the modified concept plan:

Precinct	Building Height	Floor Space Ratio	
		Maximum	Maximum Residential
1	2-6 storeys	1.25:1	1.1:1
2	6-7 storeys	2.35:1	2:1
3	4 storeys	2.15:1	Nil

None of the buildings on the land to be developed have been identified as “*heritage items*” on the *Redfern-Waterloo Authority Sites: Heritage Map* which accompanies the *Major Projects SEPP* and the only “*heritage item*” identified in the vicinity of the site is the Redfern Station Booking Office.

The proposed development would not have any discernible effect on the heritage significance of the Booking Station.

The development is to be designed to achieve the outcome of design excellence, as contemplated by Clause 22(1) of Part 5 by:

- creating a high standard architecture, in terms of the building’s form and detailing;
- using a range of materials and colours to create an interesting and attractive element in the townscape and streetscapes in this area; and
- incorporating best-practice ecologically sustainable design features.

As a result, the proposed development will significantly improve the amenity of this area as viewed from the public domain and provide a catalyst and stimulus for the ongoing renewal and revitalisation of this area in the manner contemplated by the *Major Projects SEPP*.

A design competition of the nature contemplated by Clause 22(3) would be unwarranted in relation to the modified development proposed.

In summary, the development concept plans are to be generally consistent with the provisions contained in the *Major Projects SEPP* and the variations to the building height and floor space ratio standards are to be largely inconsequential.

4.2 Other State Environmental Planning Policies

The following relevant State environmental planning policies are to apply to the proposed development of the land.

Policy	Comments
<p><i>State Environmental Planning Policy (Infrastructure) 2007 - 21/12/2007</i></p>	<p>The development is to comply with the provisions of this <i>Policy</i>.</p> <p>The application is to be accompanied by reports relating to:</p> <ul style="list-style-type: none"> • the effect of works on railway infrastructure; • rail and road noise and vibration impacts; and • access, traffic and parking.
<p><i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - 25/6/2004</i></p>	<p>The development is to comply with the provisions of this <i>Policy</i>.</p> <p>BASIX and ABSA certificates are to accompany the application.</p>
<p><i>State Environmental Planning Policy No.55 - Remediation of Land - 28/8/1998</i></p>	<p>The development is to comply with the provisions of this <i>Policy</i>.</p> <p>There is no evidence of any soil contaminating activities having been undertaken on the site or on surrounding properties.</p> <p>The application is to be accompanied by evidence to this effect.</p>
<p><i>State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development - 26/7/2002</i></p>	<p>The development is to comply with the provisions of this <i>Policy</i>.</p> <p>The residential element of the development is to be designed to be consistent with the <i>Residential Flat Design Code</i> which provides guidelines on the implementation of this <i>Policy</i></p>
<p><i>Draft State Environmental Planning Policy No.66 - Integration of Land Use and Transport - August 2001</i></p>	<p>The development is to comply with the provisions of this draft <i>Policy</i>.</p> <p>Development of the nature proposed is strongly consistent with the draft <i>Policy</i> in that it provides a critical mass and appropriate mix of retail, commercial, community/entertainment and residential development which will be transit-oriented and encourage the use of public transport services operating in the immediate vicinity of the land.</p> <p>The Department's Planning Circular PS 08-013, issued on 13 November 2008, indicates that draft environmental planning instruments that were exhibited prior to 1 March 2006 and which have not been gazetted should not be considered in relation to development applications in terms of Section 79C(a)(ii) of the <i>EP&A Act</i>.</p> <p>This direction is effective from 1 March 2009</p>
<p><i>Standard Instrument (Local Environmental Plans) Order 2006</i></p>	<p>The relevant provisions and terms contained in the <i>Standard Instrument</i> are to be used in finalising the design of the project</p>

4.3 Design Guidelines

The following relevant planning guidelines are to apply to the proposed development of the land.

Policy	Comments
<i>Redfern-Waterloo Built Environment Plan (Stage 1), August 2006 - Redfern-Waterloo Authority</i>	The development is to be consistent with the <i>Built Environment Plan</i> and will achieve the economic, social and environmental outcomes fostered and promoted by it
<i>Residential Flat Design Code 2002 - Department of Planning</i>	The residential element of the development is to be designed to be consistent with the <i>Residential Flat Design Code</i>
<i>Crime Prevention and Assessment of Development Applications 2001- Safer by Design Principles - Department of Planning</i>	The development is to be designed to be consistent with the principles of <i>Safer by Design</i> . The development would significantly improve safety and security in this locality as a result of the establishment of active street frontages and the casual surveillance over public domain areas offered by the range and nature of uses that are proposed within the development
<i>Guide to Traffic Generating Developments, 1993 - Roads and Traffic Authority of NSW</i>	The <i>Guide</i> is to be used to inform the access, traffic and parking study that would accompany the application
<i>South Sydney City Council's Development Control Plan No.11 - Transport Guidelines for Development 1996</i>	The <i>Guidelines</i> are to be used to inform the access, traffic and parking study that would accompany the application
<i>Redfern-Waterloo Authority Contribution Plan 2006</i>	Any required contribution is to be paid
<i>Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006</i>	Any required contribution is to be paid

5.0 Key Environmental Issues

Extensive consultations were undertaken in connection with the environmental assessments associated with the plans to which Concept Plan Approval No.06_0101 relate.

The only additional consultations that have been conducted concerning the modified project have been with the Redfern-Waterloo Authority, Sydney City Council and RailCorp.

The key environmental issues relating to the project are:

- the incorporation of elements in the development which achieve social outcomes for the local indigenous community;
- built form and urban design issues associated with:
 - the integration of the area into the wider Redfern community;
 - the creation of an attractive, vibrant and safe environment in which to live, work and recreate; and
 - the creation of sustainable development;
- public domain improvements, including public open spaces;
- heritage issues;
- the provision of adequate public utility infrastructure to serve the development in terms of a safe and efficient road network and the provision of water, sewerage and drainage facilities;
- ensuring the soil conditions on the site are appropriate for the development proposed and resolving geotechnical issues relating to the effect of development on adjoining railway infrastructure; and
- ensuring the development is economically viable and deliverable.

These issues were addressed in connection with the issue of Concept Plan Approval No.06_0101 and need to be revised and updated in the context of the modified project.

6.0 Conclusion

An application to modify the plans approved by virtue of Concept Plan Approval No.06_0101 issued on 30 June 2009 by the Minister for Planning is to be submitted under the terms of Section 75W of the *Environmental Planning and Assessment Act 1979* to facilitate the redevelopment of this land in accordance with the development concept plans contained in **Appendix 1**.

In addition, the application is to seek a declaration from the Minister that no further environmental assessment is required for the project pursuant to Section 75P(1) of the *Act*.

This preliminary environmental assessment provides an appropriate basis for the Director-General to issue requirements specifying the matters to be addressed in the application and any Environmental Assessment accompanying it.

APPENDIX 1

Development Concept Plans