

Preliminary Environmental Assessment

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

Pemulwuy Project
Eveleigh/Vine/Louis/Caroline and
Lawson Streets
REDFERN

Prepared for:

Aboriginal Housing Company
c/- DeiCorp Construction Pty Ltd
Shop 5, 140-152 New Canterbury Road
PETERSHAM NSW 2049

Prepared by:

Ludvik & Associates Pty Ltd
Consultant Town Planners
Suite 103, Level 1, 10-12 Clarke Street
CROWS NEST NSW 2065

ACN 070 751 683
ABN 95 070 751 683

Tel: (02) 9906 3566
Fax: (02) 9906 3592

July 2011

A10046-1.PEA

Table of Contents

1.0	Introduction	1
2.0	Site Details	3
3.0	The Project	5
4.0	Environmental Planning Framework	8
4.1	Major Projects SEPP	8
4.2	Other State Environmental Planning Policies	10
4.3	Design Guidelines	11
5.0	Key Environmental Issues	12
6.0	Conclusion	13

Figures

Figure 1 **Locality Plan**

Appendices

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.

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

The application for the approval 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.

Following the issue of the approval, the Project was reviewed in conjunction with the AHC to ensure that it met the needs of the local Aboriginal and Torres Strait Islander community and was economically viable and deliverable.

This review identified a number of design modifications and refinements that needed to be made to the approved Concept Plan.

A Preliminary Environmental Assessment was prepared and submitted to the Department of Planning in September 2010 for approval to modify the Concept Plan under Section 75W of the *EP&A Act* to reflect these amendments and Director General's Requirements MP06_0101 MOD1 were issued on 30 September 2010 for the proposed modifications.

Since that time, the Project has been further refined to the stage where a Project Approval Application is to be submitted concurrently with the application to modify the Concept Plan Approval.

In common with the Concept Plan Approval, the modifications proposed in September 2010 and the development as currently proposed 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*.

Consequently, the Concept Plan Approval needs to be modified to facilitate the granting of the Project Plan Approval.

The purpose of this Preliminary Environmental Assessment is to obtain the Director-General Requirements which identify key issues to be addressed in Environmental Assessment to accompany the applications:

- to modify the Concept Plan Approval; and
- to obtain Project Plan Approval for the entire project to enable its construction to commence.

As the development proposed in the modified Concept Plan Approval and the development for which Project Plan Approval is sought are identical, the same Director General's Requirements should be applied to both applications to enable both applications to be concurrently assessed in a single Environmental Assessment.

This Preliminary Environmental Assessment:

- provides details of the site;
- provides details of the modified development 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

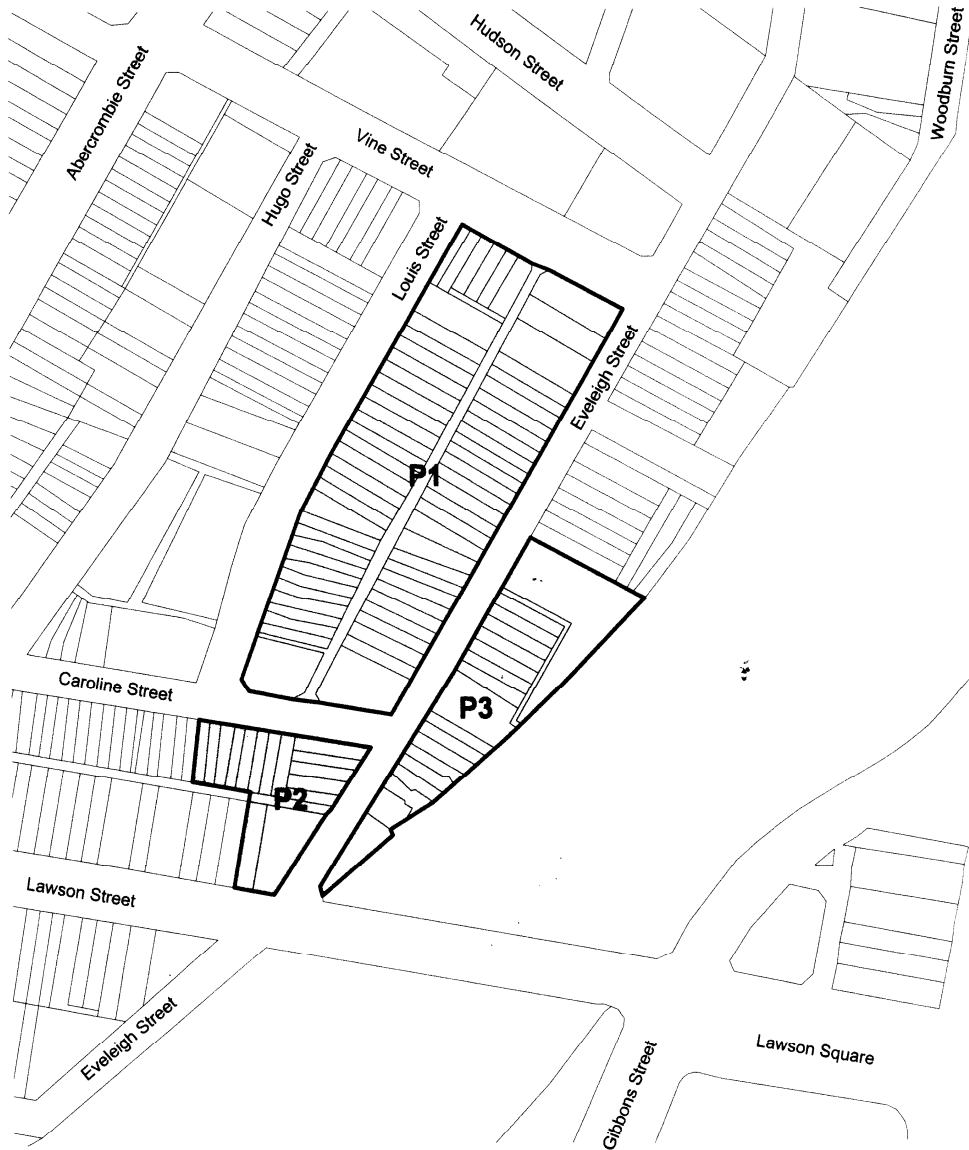
The Pemulwuy Project involves the land in Eveleigh, Vine, Louis, Caroline and Lawson Streets, Redfern, indicated on the plan contained in **Figure 1** as P1, P2 and P3.

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

<p>Precinct 1 (P1)</p>	<p>This precinct represents the land bounded by Eveleigh, Vine, Louis and Caroline Streets.</p> <p>The precinct has been designed to accommodate sixty-two (62) dwellings to be used for housing by the local Aboriginal and Torres Islander community, a gymnasium and fitness centre and limited retail/commercial space.</p> <p>All of the parking associated with the Project, both public and private, is to be located in this precinct.</p>
<p>Precinct 2 (P2)</p>	<p>This precinct represents the land owned by the AHC fronting Lawson, Everleigh and Caroline Streets.</p> <p>The precinct designed to accommodate retail/commercial space principally addressing Lawson Street and community uses, including the AHC offices and a child care centre.</p>
<p>Precinct 3 (P3)</p>	<p>This precinct represents the land owned by the AHC fronting Everleigh Street and bounded by the Railway Line and Lawson Street.</p> <p>The precinct has been designed to accommodate a gallery fronting Eveleigh Street, retail/commercial space and student accommodation.</p>

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 a view of the Project from Lawson Street and the Redfern Railway Station to enable it to be visually integrated into the surrounding community.

The area in Everleigh Street between Lawson and Caroline Streets is to be developed as a shared pedestrian/traffic zone and opened up as a community meeting place, "Pemulwuy".



**Figure 1
Locality Plan**

3.0 The Project

Since the issuing of Concept Plan Approval No.06_0101 on 30 June 2009, the Pemulwuy Project has been continually reviewed in conjunction with the AHC to ensure that it meets the needs of the local Aboriginal and Torres Islander community and is economically viable and deliverable.

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

Overall Development

A comparison of the overall gross floor area of the Project as approved by the Concept Plan Approval and as proposed to be modified in the 2010 Preliminary Environmental Assessment and the current proposal is as follows.

Element	Composition of Development		
	Concept Plan Approval	2010 Modification	Current Proposal
Total GFA	15,500m ²	16,530m ²	15,875m ²
Retail/Commercial GFA	7,250m ²	3,830m ²	2,665m ²
Residential GFA	6,200m ²	9,810m ²	11,215m ²
Cultural/Community GFA	2,050m ²	2,890m ²	1,995m ²
Public Open Space	500m ²	> 500m ²	> 500m ²
1-11 Vine Street	Re-Use	Facility Relocated	Facility Relocated
No. of Car Spaces	71	344	323

Precinct Comparison

A comparison of the facilities contained in the Concept Plan Approval, the modifications proposed in the 2010 Preliminary Environmental Assessment and the current proposal, on a precinct by precinct basis, is as follows.

Element	Composition of Development		
	Concept Approval	2010 Modification	Current Proposal
Precinct 1:			
Residential	62 dwellings	62 dwellings	62 dwellings
Community	Gymnasium/Fitness Centre Elders Centre	Gymnasium/Fitness Centre (840m ²)	Gymnasium/Fitness Centre (905m ²)
Public Open Space	500m ²	> 500m ²	> 500m ²
Retail/Commercial	330m ²	340m ²	340m ²
No. of Car Spaces	71	344	323
Total GFA	6,530m ²	8,430m ²	8,580m ²
Precinct 2:			
Residential	Nil	Student Housing - 74 beds	Nil
Community	AHC Offices Health & Respite Centre	Nil	AHC Offices (240m ²) Child Care Centre (365m ²)
Public Open Space	Yes	Yes	Yes
Retail/Commercial	2,000m ²	465m ²	1,225m ²
Total GFA	2,900m ²	3,025m ²	1,830m ²
Precinct 3:			
Residential	Nil	Nil	Student Housing - 105 beds
Community	3,050m ²	Gallery (2,050m ²)	Gallery (485m ²)
Public Open Space	Yes	Yes	Yes
Retail/Commercial	3,020m ²	3,025m ²	1,100m ²
Total GFA	6,070m ²	5,075m ²	5,465m ²

Height and Floor Space Ratio

A comparison of the height and floor space ratio of the development approved in the Concept Plan Approval and as proposed in the 2010 modifications and the current proposal in terms of the development standards contained in the *Major Projects SEPP*, on a precinct by precinct basis, is as follows.

Major Projects SEPP			Concept Approval			2010 Modification			Current Proposal		
Height (storeys)	Maximum FSR		Height (storeys)	Maximum FSR		Height (storeys)	Maximum FSR		Height (storeys)	Maximum FSR	
	Overall	Resident		Overall	Resident		Overall	Resident		Overall	Resident
Precinct 1:											
3	1.5:1	0.75:1	2 to 4	0.95:1 6,530m ²	0.92:1	2 to 6	1.35:1 8,430m ²	1.2:1	2 to 6	1.35:1 8,580m ²	1.1:1
Precinct 2:											
3	1.5:1	0.75:1	3	2.25:1 2,900m ²	Nil	6 to 7	2.4:1 3,025m ²	2:1	2 to 3	1.4:1 1,830m ²	Nil
Precinct 3:											
5	2:1	1:1	3	2.55:1 6,070m ²	Nil	4	2.25:1 5,075m ²	Nil	3 to 5	2.3:1 5,465m ²	1.65:1

Summary

There is little significant difference between the modifications proposed in the 2010 Preliminary Environmental Assessment and the current proposal in terms of its overall gross floor area.

The most significant variations relate to:

- a reduction in the gross floor area devoted to retail/commercial space; and
- an increase in the gross floor area devoted to residential accommodation, principally because of the proposed increase in the student accommodation capacity from 74 beds to 105 beds.

The current modification will:

- increase the gross floor area of the Concept Plan Approval by some 375m², or 2.4%; and
- reduce the gross floor area proposed in the 2010 Preliminary Environmental Assessment by some 665m², or 4%.

In terms of the facilities to be provided, the most significant changes from the proposed 2010 modifications include:

- the reduction of the height of the building in Precinct 2 from between 6 to 7 storeys to between 2 to 3 storeys;
- the inclusion of a child care centre into Precinct 2;
- an increase in the retail/commercial space in Precinct 2 from 465m² to 1,225m²;
- the relocation of student housing from Precinct 2 to Precinct 3 to enable it to be enlarged to provide a critical mass to make the provision of student housing viable;
- a reduction in off-street car parking from 344 spaces to 323 spaces in Precinct 1;
- the relocation of the vehicular access to the off-street car parking facilities in Precinct 1 from Everleigh Street to Vine Street as a result of recommendations made by the traffic consultants engaged for the Project;

- the reduction in the retail/commercial space and gallery space in Precinct 3; and
- the design of the retail/commercial space to enable the extension of the gallery, if required.

Community facilities, in terms of the Elders Community Centre that was to be accommodated at 1-11 Vine Street in Precinct 1 and the health and respite centre in Precinct 2, in the Concept Plan Approval, are now provided in the Wyanga Aboriginal Aged Care facility at 35 Cope Street, Redfern, and at The Cottage, Glebe Point Road, Glebe.

The AHC does not propose to duplicate these facilities in the modified Project.

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

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

The basic elements of the plans approved by virtue of Concept Plan Approval No.06_0101 and the proposed 2010 modifications have essentially been retained, albeit in a modified form.

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 building height and floor space ratio of the modified project plan is as follows:

Precinct	Building Height	Floor Space Ratio	
		Maximum	Maximum Residential
1	2-6 storeys	1.35:1	1.1:1
2	3 storeys	1.4:1	Nil
3	3-5 storeys	2.3:1	1.65:1

Consequently, the Project will substantially comply with the standards contained in Clauses 21(1) and (2), except for the following variations:

- Precinct 1
 - an increase in building height from 3 storeys to 2 to 6 storeys (2 to 4 storeys was approved in the Concept Plan Approval and 2 to 6 storeys was proposed in the 2010 modification); and
 - an increase in the floor space ratio of residential development from 0.75:1 to 1.1.
- Precinct 3
 - an increase in the maximum floor space ratio of development from 2:1 to 2.3:1 (an overall ratio of 2.55:1 was approved in the Concept Plan Approval and a ratio of 2.25:1 was proposed in the 2010 modification); and
 - an increase in the maximum floor space ratio of residential development from 1:1 to 1.65:1.

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 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 Project 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 plans of the Project 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
<i>State Environmental Planning Policy (Infrastructure) 2007 - 21/12/2007</i>	<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.
<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - 25/6/2004</i>	<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>
<i>State Environmental Planning Policy No.55 - Remediation of Land - 28/8/1998</i>	<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>
<i>State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development - 26/7/2002</i>	<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>
<i>Draft State Environmental Planning Policy No.66 - Integration of Land Use and Transport - August 2001</i>	<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 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>
<i>Standard Instrument (Local Environmental Plans) Order 2006</i>	<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.

Director General's Requirements MP06_0101 MOD1, which were issued on 30 September 2010 in relation to the Preliminary Environmental Assessment dated September 2010 for the modification of the Concept Plan Approval under Section 75W of the *EP& A Act*, would appear to adequately address all of the issues relevant to both the proposal to modify the Concept Plan Approval and the subsequent Project Plan Approval.

Having regard to the current modifications being substantially in accordance with the modifications proposed in 2010, further consultation with relevant public authorities regarding the matters to be addressed in the Environmental Assessment would not appear to be warranted.

6.0 Conclusion

Concurrent applications are to be made:

- to modify the plans approved by virtue of Concept Plan Approval No.06_0101 issued on 30 June 2009 by the Minister for Planning, 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 project plans contained in **Appendix 1**; and
- to obtain Project Plan Approval for the construction of the Project.

As the development proposed in the modification of the Concept Plan Approval and the development for which Project Plan Approval is sought are identical, the same Director General's Requirements should apply to both applications.

In these circumstances, both applications could satisfactorily and concurrently be assessed in a single Environmental Assessment.

Director General's Requirements MP06_0101 MOD1, issued on 30 September 2010 in relation to the Preliminary Environmental Assessment dated September 2010 would appear to adequately address all of the issues relevant to both the proposal to modify the Concept Plan Approval and to obtain Project Plan Approval.

Having regard to the current modifications being substantially in accordance with the modifications proposed in 2010, further consultation with relevant public authorities regarding the matters to be addressed in the Environmental Assessment would not appear to be warranted.

APPENDIX 1

Development Concept Plans