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30 January 2019

Our Ref: X018231
File No: 2019/037760

Andrew McAnespie
Independent Planning Commission
Level 3, 201 Elizabeth Street
Sydney NSW 2000

Dear Andrew,

Rezoning review – 44-78 Rosehill Street, Redfern

I refer to your email dated 23 January 2019 and attached proponent's review of the planning proposal request to amend *Sydney Local Environmental Plan 2012* for 44-78 Rosehill Street, Redfern. The request is the subject of a rezoning review, Department of Planning and Environment (DPE) reference: RR_2018_SYDNE_001_00.

Consistent with the DPE's *Guide to preparing local environmental plans* and *Planning Circular PS18-012 – Independent reviews of plan making decisions* it is the City's view that that no further information, above what was initially presented to council by the proponent, should be reviewed and considered by the Independent Planning Commission in making their determination.

Notwithstanding this, the review highlights the dependence of the planning proposal request on the limited strategic value of proximity to train stations, and a highly specific but flawed scheme devised by Roberts Day. If the IPC is considering the advice provided in this self-characterised independent review, the City would highlight the following limitations.

Strategic advice

The review takes a limited view of what strategic factors would support the proposed scheme. The lack of strategic merit demonstrated by the proposal is related to the loss of employment space in the Ultimo-Camperdown Collaboration Area as outlined in the NSW Government's Region and District Plans, and the need to equally distribute any uplift potential provided by additional rail capacity and fund the required infrastructure in addition to rail transport. These concerns are not addressed by the proponent's review.

The review dismisses concerns about loss of employment space based on the site's existing B4 – Mixed Use zoning. Further, it states that the site is on the "fringe" of the NSW Government's Region and District Plan's Innovation Corridor, attempting to mitigate the strategic importance of the site. However it neglects to mention the Camperdown-Ultimo Collaboration Area and the Central to Eveleigh corridor. The site is located well within the Collaboration Area, a precinct the GSC envisages in the Region and District Plan will "consolidate Greater Sydney's economic future and its national and international competitiveness". The Central to Eveleigh Corridor was recently mentioned as the future site of a new technology precinct lead by Jobs NSW, which the Premier envisions will "cement Sydney as the technology capital of Australia and create more secure jobs". This site is well placed to contribute to achieving the future employment-

city of villages



focused vision for the area, and the District Plan is very clear that loss of employment space in the Collaboration Area is a concern, saying “planning mechanisms should limit residential and serviced apartment floor space and protect employment activities and uses in these areas”.

The site is within close walking distance of Redfern Station and the future Waterloo Metro Station. The additional transport capacity provided by Sydney Metro is taken into account by the City and the DPE’s strategic planning, with the Botany Road corridor and Redfern – Waterloo precinct. Considerations in responding to this increased transport capacity include determining the additional total development potential, distributing this uplift equitably among land owners, responding to local character, maintaining amenity through urban change, and capturing contributions to fund the additional infrastructure required to serve the new population, which extends beyond transport.

The City maintains that the appropriate way to respond to new transport projects is through a considered and holistic planning process for the wider area. Increasing development capacity on a single site based on public knowledge of a future transport project is not strategically justifiable.

Design recommendations

To address the design and amenity issues which arise from excessive height and bulk the proponent’s review recommends a series of restrictive and inflexible provisions.

It is the City’s view that planning proposal requests must be able to demonstrate basic design standards and amenity requirements without the aid of a design excellence competition, highly detailed building envelopes and floor plans, and special treatments such as vertical plantings, privacy screens and louvres. The proponent of any planning proposal request is not necessarily the developer of the site, and there must be sufficient flexibility built into the controls to allow for a range of built form scenarios, responses and plan arrangements that could meet amenity requirements.

In making its assessment, the proponent’s review uses selective screenshots of highly detailed building envelopes from documents obtained from the proponent directly and not available to the City, DPE or the IPC. For example, in discussing building separation, the review uses a diagram of habitable and non-habitable rooms. By cross referencing the diagram with indicative floor plans provided, the City has new concerns about solar access to habitable rooms, which need to be verified with comprehensive floor plans for each level. Similar concerns are raised for wind treatments, reliance on façade treatments to overcome building separation issues, built form articulation and communal open space.

This level of analysis is not appropriate at the planning proposal stage, as the scheme is not related to a development application where such details would be secured through the approvals process. The City has strong concerns the proposed scheme would not be able to meet design and amenity standards. This concern is reinforced by the proponent’s review recommendations for a highly prescriptive building envelope and design measures in an effort to prove the acceptability the excessive height and floor space increases.

The recommendations provided in the proponent’s review have no status and as stated above are not appropriate planning proposal provisions. It is not clear what status this document has or how those recommendations would be incorporated into the planning process if it were to proceed.

Next steps

The City welcomes the opportunity to provide comment on this review submitted on behalf of the proponent, but maintains that the rezoning review should deal with the information and documentation submitted to council in the original planning proposal request as outlined in the Department's published Guidelines.

We look forward to meeting with the IPC in the coming weeks to discuss the planning proposal request.

If you would like to speak with a council officer about this planning proposal request, please contact Tamara Bruckshaw, Manager Green Square and Major Projects, on 02 9265 9743 or at tbruckshaw@cityofsydney.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A-T', with a long horizontal stroke extending from the top of the 'T'.

Andrew Thomas
Executive Manager, Strategic Planning and Urban Design