



NSW GOVERNMENT  
**Department of Planning**

***MAJOR PROJECT ASSESSMENT  
REDFERN COMMUNITY HEALTH CENTRE  
DEVELOPMENT AT THE FORMER  
REDFERN COURTHOUSE & REDFERN  
POLICE STATION SITE  
Proposed by HEALTH ADMINISTRATION  
CORPORATION (NSW HEALTH)  
MP07\_0011***

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

June 2008



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# 1 EXECUTIVE SUMMARY

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This is a report on a Project Application seeking approval for redevelopment on land for the purposes of a community health centre, at 103 Redfern Street, Redfern (Lots 3 and 4 in DP 2051), formerly known as the Redfern Local Court House Building site (the site).

The site is currently owned by the NSW Attorney General's Department and the Police Department and comprises a total area of approximately 1,642m<sup>2</sup>. The existing court house building occupies a floor area of 600m<sup>2</sup>.

## Proposal

The Project Application seeks approval for:

- **Redevelopment** of the southern part of the site and use of the whole site for the purposes of a new community health centre, providing population, drug, and mental health services, including a needle exchange facility;
- **Hours of operation:**
  - Monday to Friday: 8:00AM – 5:00PM
  - Saturday: 9:00AM – 5:00PM
  - Monday to Thursday 6:00PM – 9:00PM (additional hours for Resource & Education Program for Injecting Drug Users (REPIDU))
- **Retention and adaptive reuse of Court House** heritage building;
- **Demolition of the former Redfern Police Station building**, located on the southern half of the site;
- **A new 3 storey building** as an addition to the court house building, having a frontage to the rear of the site to Turner Street;
- **A total floor space ratio of 1.13:1** (GFA of 1843m<sup>2</sup> comprising of 600m<sup>2</sup> courthouse & 1243m<sup>2</sup> new building);
- **Basement car park for approximately 24 vehicles**, located below the new building; and
- **At grade parking** for 4 vehicles and 2 vans.

The Capital Investment Value of the proposal is **\$8 million** and the proposal will create **15** full time equivalent construction jobs and **69-94** 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 – Local Centre 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 business 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 30 day period from 6 February to 6 March 2008. The Department received 3 submissions from public authorities and 1 public submission about the hours of operation and details of usage for the REPIDU facility. Key issues included:

- Protection of heritage significance
- Parking provisions
- Promotion of public transport use

## Preferred Project Report

On 23 May 2008, the proponent submitted a response to submissions and a Preferred Project Report to address issues raised by the Department and other public authorities. Revisions to the project included:

- Redesign of Turner Street elevation to provide greater articulation and activation of the public domain;
- Redesign of REPIDU space to provide casual surveillance to Turner Street;
- Relocation waste holding area to within the building;
- Proposed location of needle syringe dispensing machine within front setback to Redfern Street;

- Additional shadow diagrams;
- Further details about the proposed uses.

The Department has assessed the merits of the Project Application and is satisfied that the impacts of the proposed development have been addressed via the Draft Statement of Commitments and recommended conditions of approval to the Project Application, and that the impacts can be suitably mitigated and/or managed to ensure a satisfactory level of environmental performance. On these grounds, the Department is satisfied that the site is suitable for the proposed development and that the proposal will provide cultural, social and economic benefits to the locality. All statutory requirements relating to the Project Application proposal have been met.

The Department recommends that the Project Application be approved, subject to conditions.

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## 2 BACKGROUND

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### 2.1 THE SITE

#### 2.1.1 Site context and location

The site, formerly known as Redfern Local Court House and Redfern Police Station, is located at 103 Redfern Street, Redfern (Lots 3 and 4 in DP 2051), within the local government area of the City of Sydney Council (Council) and the Redfern-Waterloo Authority's (RWA) Operational Area. The site is currently owned by the NSW Attorney General's Department and the Police Department and comprises a total area of approximately 1,642m<sup>2</sup>. It is bounded by Redfern Street to the north, Turner Street and residential development to the south, Pitt Street to the east and a mix of residential and commercial development to the west (see Figure 1 – site location).

The site is located within walking distance of Redfern railway station and also benefits from nearby frequent bus services. Local shops and services are located on Redfern Street and Regent Street, and within proximity of the site are Redfern Park and Oval, and the Australian Technology Park.

#### 2.1.2 Existing site features

The site is currently occupied by disused former court house and police buildings, ranging in height from single to 2 storeys, and both currently vacant. The northern half of the site is occupied by the former Redfern Local Court House building, a heritage listed building, which will be adaptively reused as part of the redevelopment. The southern half of the site is occupied by the former Redfern Police Station building, which is proposed to be demolished as part of the redevelopment.

Access to the site is predominantly via pedestrian routes from Redfern and Turner Streets however, on-street parking is available in surrounding streets in the locality. The previous police station use did not have on-site parking but had access to dedicated parking spaces in Turner Street which have since been returned for resident parking.

The site does not contain any tree or landscape species and is typical of zero lot development along the Redfern Street streetscape. The site is also located within the Redfern Street Conservation Area under the South Sydney Amending LEP 2000.

#### 2.1.3 Surrounding development

The site is within the Redfern town centre and is surrounded by a mix of typical inner city commercial and residential uses. Residential development surrounding the site is characterised by terrace housing, mixed with medium to high density residential development.

Within the vicinity of the site are other land uses, such as Australian Technology Park that provides a technology business hub, and the former Redfern Public School which is proposed to be redeveloped to create a National Indigenous Development Centre.

#### 2.1.4 Zoning / Statutory controls

The site is zoned Business – Local Centre under the provisions of Schedule 3, Part 5 of State Environmental Planning Policy (Major Projects) 2005 (MP SEPP). A range of development is permissible with consent in this zone, including the subject proposal for a community health centre.

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

- A maximum 3 storey height limit to Turner Street, at the southern part of the site;
- A maximum 6 storey height limit on the central part of the site;
- The existing building height to remain at the northern part of the site (existing court house building);
- A maximum floor space ratio (FSR) of 1.3:1.

The court house building is identified as a heritage item under the MP SEPP.

## 2.2 SITE HISTORY

Redfern Court House was designed by the first NSW Government Architect and constructed in 1898. Redfern Police Station, which is linked internally to the courthouse on the southern side, was originally designed and constructed as the lock-up as part of the court house. The first floor of the police station was added in 1929.

Both the court house and police station continuously operated until their closures in 2005.

### 2.2.1 Previous applications

Since the construction of the first floor addition to the police station in 1929, no further development applications are recorded for the site.

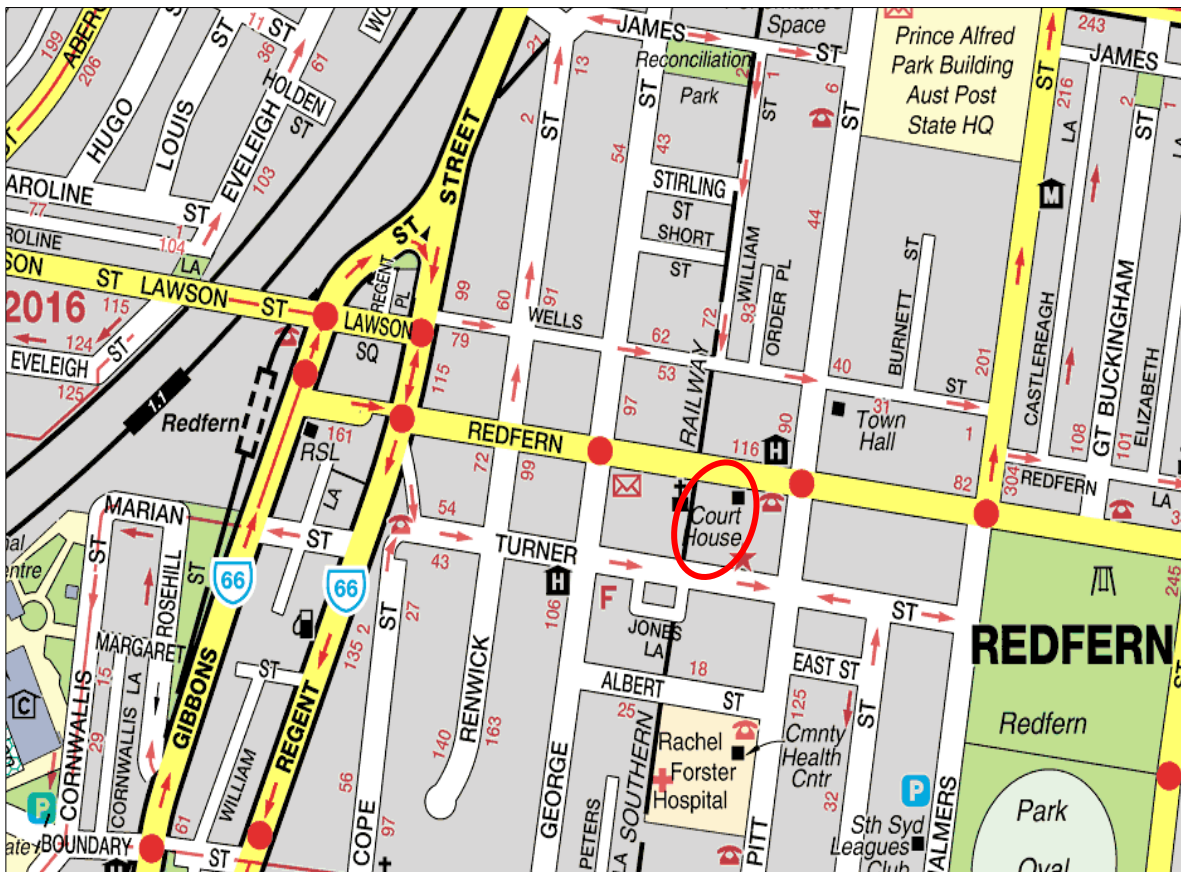


Figure 1 – Site location

## 3 PROPOSED DEVELOPMENT

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### 3.1 The proposed development

Approval is sought for a Project Application for the redevelopment of the former Redfern Court House and Police Station for the purposes of a community health centre. Specifically, the proposal consists of the following:

- The retention and adaptive reuse of the existing single storey courthouse building in the northern part of the site, with pedestrian access from Redfern Street;
- Demolition of the existing Police Station building fronting Turner Street, which is currently an addition to the south of the courthouse building;
- Provision of a new 3 storey building, 11.1m above existing ground level, in place of the previous Police Station building;
- Use of the whole site for the purposes of a new community health centre, providing population, drug, and mental health services, including a needle exchange facility;
- Maximum total gross floor area of 1843m<sup>2</sup> (600m<sup>2</sup> – existing courthouse; 1243m<sup>2</sup> – new building);
- Provision of one level of basement car parking for approximately 24 vehicles, underneath the new building, and car parking provision for 4 vehicles at street level, accessed from Turner Street.
- Reuse of the buildings for the purposes of a community health centre with hours of operation as follows:
  - 8.00AM to 5.00PM (Monday – Friday)
  - 9.00AM to 5.00PM (Saturday)
  - 6.00PM to 9.00PM additional hours for REPIDU services (Monday – Thursday)
- Floor space ratio of 1.13:1.
- Vehicular access from Turner Street, via a new 5.5 metre wide driveway cross-over to the basement, and a second 6.1 metre wide driveway cross-over adjacent to the basement entry/exit ramp to the at grade parking level; and
- Pedestrian access primarily from the existing courthouse entrance on Redfern Street, and a secondary entrance from Turner Street, which is a one-way street and shared zone.

### Land Use

The Project Application proposes a community health centre, and makes use of currently vacant and disused buildings in the 'civic' precinct of Redfern. The community health centre facility in Redfern is currently operating from the former Rachel Forster Hospital building, located further south from the subject site. The redevelopment of the former Rachel Forster Hospital site has necessitated the relocation of this service to the subject site.

The Proponent has detailed the following proposed uses:

- **Population Health**
  - *Community nursing & post acute services*
  - *General counselling*
  - *Aboriginal health*
- **Drug Health Services**
  - *Resource and Education Program for Injecting Drug Users (REPIDU) and primary health care*
  - *Counselling*
  - *Magistrates Early Referral into Treatment (MERIT) Program*
  - *Aboriginal health*

- **Mental Health Services**
  - Acute care, triage, case management, and service coordination
  - Psychiatric consultation
  - Mental health HIV/Hep C consultation
  - Mental health work program

### Development Data Table

Table 1 – Assessment of Redfern Community Health Centre development Project Application against numerical standards in MP SEPP

	Proposed	Control (MP SEPP)	Compliance
Lot size	1, 642m <sup>2</sup>	N/A	N/A
Height	Existing height – court house  3 storeys – centre of site 3 storeys – to Turner St	Existing building height to remain – court house  6 storeys – centre of site 3 storeys – to Turner St	Yes
GFA	1, 843m <sup>2</sup> (includes existing court house: 600m <sup>2</sup> )	2, 134m <sup>2</sup>	Yes
FSR	1.13:1	1.3:1	Yes
Heritage Items	Retain and adaptively reuse existing court house building as part of new development proposal	Court house building identified as heritage item	Yes

### 3.2 Project Chronology

- 25 January 2007 – request for Clause 6 opinion lodged with the Department.
- 7 February 2007 – Director-General, as delegate for the Minister, formed the opinion that the proposal is a Project to which Part 3A of the Act applies.
- 27 February 2007 – Director-General's Environmental Assessment Requirements signed by the Director-General's Delegate and provided to proponent.
- 20 September 2007 – Environmental Assessment (EA) lodged with the Department.
- 25 October 2007 – EA inadequate and letter sent to Proponent.
- 7 January 2008 – amended EA lodged with the Department.
- 23 January 2008 – EA deemed adequate.
- 6 February - 6 March 2008 – EA placed on public exhibition.
- 27 March 2008 – meeting with proponent to resolve outstanding design issues, to be addressed in Preferred Project Report.
- 23 May 2008 – response to submissions and preferred project report (PPR) submitted.

### 3.3 Project Amendments

A PPR was submitted on 23 May 2008 incorporating the following amendments:

- Redesign of ground floor facing Turner Street, to promote activity to the rear laneway;
- Redesign of REPIDU space to provide casual surveillance to Turner Street;
- Relocation of waste bin holding area to be within the ground floor of the building;
- Photomontage of proposed syringe dispensing machine to be located within the front setback to Redfern Street;
- Additional shadow diagrams; and
- Further details about the proposed uses.

## 4 STATUTORY CONTEXT

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### 4.1 MAJOR PROJECT DECLARATION

The project is a Major Project under *State Environmental Planning Policy (Major Projects) 2005* as it has a Capital Investment Value of more than \$5 million and is of a kind described in Schedule 3, Part 5, (State Significant Site) as a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies. The opinion was formed by the Director-General as the Minister's delegate on 7 February 2007 and authorisation was granted for the Project Application.

### 4.2 PERMISSIBILITY

Under the MP SEPP, the site is zoned Business – Local Centre, which permits a community health centre. The proposal is consistent with the objectives of the Business – Local Centre zone and is a permissible use subject to the Minister's approval.

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

The DGRs issued on 27 February 2007 required the following issues to be addressed:

- Building design
- Building use
- Ecologically Sustainable Development
- Heritage
- Employment and Enterprise
- Social and Economic Impacts
- Safety / Public Domain / Landscaping
- Traffic Impacts (Construction & Operational)
- Construction Impacts
- Contamination
- Drainage
- Services/infrastructure and utilities

The DGRs are in **Appendix A**

The amended EA lodged by the proponent on 7 January 2008 was adequate for exhibition.

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

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

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

*(a) to encourage:*

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) ecologically sustainable development, and*
- (viii) the provision and maintenance of affordable housing, and*

*(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*

*(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

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

With respect to ESD, the Act adopts the definition in the *Protection of the Environment Administration Act 1997* including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms.

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

##### 4.4.1 ESD Principles

There are 5 accepted ESD principles:

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

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

- a) **Integration Principle** – The environmental impacts of the development are appropriately mitigated as discussed in this report. The Department's assessment has duly considered all issues raised by public authorities, and the proposal as recommended for approval will not compromise a particular stakeholder or hinder the opportunities of others.
- b) **Precautionary Principle** – The proposal presents no threat of serious or irreversible environmental damage to the site or the wider locality.
- c) **Inter-Generational Principle** – The proposal represents a sustainable reuse of the site. The development includes an upgrade and reuse of an existing heritage building, which in conjunction with the new building will provide an improved new community facility.
- d) **Biodiversity Principle** – Following an assessment of the proponent's EA it is considered with certainty that there is no threat of serious or irreversible environmental damage as a result of the proposal.
- e) **Valuation Principle** – The approach taken for this project has been to assess the environmental impacts of the proposal and identify appropriate safeguards to mitigate adverse environmental effects. The mitigation measures include the cost of implementing these safeguards in the total project cost.

The proponent is committed to ESD principles and has reinforced this through the Draft Statement of Commitments and Environmental Assessment which explores key ESD opportunities, including but not limited to, the use of passive solar design principles, low maintenance and low energy life cycle materials, rainwater harvesting, and energy efficient light fittings.

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

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

<i>Section 75I(2) criteria</i>	<i>Response</i>
Copy of the proponent's environmental assessment and any preferred project report	The Proponent's EA is located on the assessment file.
Any advice provided by public authorities on the project	All advice provided by public authorities on the project application for the Minister's consideration is set out in 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 project 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 project 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 development relative to the prevailing environmental planning instrument is provided in section 4.6 of this report.
Any environmental assessment undertaken by the Director General or other matter the Director General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The environmental assessment of the project application is this report in its entirety.
<i>Clause 8B criteria</i>	<i>Response</i>
An assessment of the environmental impact of the project	An assessment of the environmental impact of the proposal is discussed in section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	The public interest is discussed in section 5.9 of this report.
The suitability of the site for the project	The site is identified in the Redfern-Waterloo Built Environment Plan to be redeveloped for mixed business 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 6.3 of this report. Copies of all submissions received is provided in Appendix B.
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Table 1 - Section 75I(2) requirements for Director-General's Report

## 4.6 ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)

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

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

The primary controls guiding the assessment of the proposal are:

- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- Standard Instrument (Local Environmental Plans) Order 2006 (for definitions only)

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

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

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

### 4.6.2 State Environmental Planning Policy (Major Projects) 2005

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

#### Building Height

The maximum height permitted on the site varies from retaining the existing building height of the court house building at the northern part of the site fronting Redfern Street, 6 storeys in the central part of the site to 3 storeys at the southern end of the site fronting Turner Street.

The development complies with the maximum height control applicable to the site by retaining the existing court house building and proposing a new 3 storey building at the rear of the site.

#### Floor Space Ratio (FSR)

The maximum FSR permissible is 1.3:1. The development proposes a maximum FSR of 1.13:1, including 600m<sup>2</sup> of the existing courthouse, thus complying with this control.

#### Design Excellence

Clause 22 in Schedule 3, Division 3 requires new development to exhibit design excellence. A Statement of Design Excellence submitted with the Project Application provides a detailed assessment against the requirements of Clause 22 with regard to the building's architectural design, improved quality and amenity of the public domain through building design and incorporation of ESD.

The proposed new building design is considered to be capable of meeting the specific design requirements of the MP SEPP. Conditions of approval require the proponent to redesign the Turner Street elevation to ensure that design excellence is achieved.

### **Heritage Conservation**

The existing single storey former court house building is identified as a heritage item under MP SEPP and will be retained and adaptively reused as part of the development. Clause 27 of the MP SEPP does not apply to development under Part 3A of the EP&A Act, and heritage conservation is not strictly applicable in this instance however, the proponent however seeks to retain the building. The proposed additions are sympathetic to the heritage significance of the Courthouse building. Indeed, the design response is centred around retaining this building and a sympathetic extension.

#### **4.6.3 State Environmental Planning Policy (Infrastructure) 2007**

The proposed development meets the aims of the Infrastructure SEPP as it allows for the efficient redevelopment of surplus government owned land. Schedule 3 of the SEPP requires traffic generating development to be referred to the RTA. The RTA has no objections but has recommended specific conditions for the proposed development, which have been incorporated.

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

A Phase 1 Environmental Site Assessment undertaken in June 2006 found that no licences for dangerous goods were identified for the site and records did not reveal any recorded contamination problems. Given the history of the site primarily for law enforcement building and public works over a significant period of time, it is considered that the site presents a low risk to users of the site and that the site appears sufficiently contained and appropriate for continuation of the current land use or for commercial and industrial purposes. The assessment recommends if major intensification of the site is proposed that further assessment by a suitably qualified person be undertaken to investigate appropriate conditions.

The Draft Statement of Commitments includes a commitment by the proponent to undertake a survey of the site and its surrounds for asbestos based and other hazardous materials on the site and prepare a Hazardous Materials Handling Plan.

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

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

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

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

- The site is highly accessible to existing public transport infrastructure including metropolitan and regional trains and buses, and opportunity exists for both employees and clients to make good use of the services provided, particularly for journey to work purposes;
- On-site parking is restricted to 28 spaces, predominantly for vehicle use associated with the Sydney South West Area Health Service's (SSWAHS) operations;
- Space for bicycle parking is allocated within the basement.

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

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

#### 4.7 OTHER PLANS AND POLICIES

The Proposal has been assessed against the following planning policies:

##### 4.7.1 Redfern Waterloo Built Environment Plan

The Redfern-Waterloo Built Environment Plan (BEP) was developed to assist in the social 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 former Redfern Local Court House Building.

The site was previously zoned 'Special Uses – Police' under the South Sydney LEP, which restricted uses to a police station as well as permissible uses in the adjacent residential and business zones. The BEP (Stage 1) adopts a mixed business and residential use for the whole site that is consistent with the surrounding land uses. The proposed land use zone under the BEP (Stage 1) is 'Business Zone – Local Centre' and has since been gazetted in the MP SEPP.

##### 4.7.2 RWA Development Contribution Plan

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

Pursuant to Clause 6 of the Contributions Plan, a development application made on behalf of the Crown, such as community health facilities, are exempt from paying developer contributions, subject to written notice by the Minister. Correspondence to the Director-General from NSW Health on 25 September 2007 sought written exemption pursuant to the provisions in Clause 6 of the RWA Contributions Plan. The Director-General provided a written response to NSW Health advising that the exemption being sought will be considered concurrently with the assessment of this subject Project Application.

The proposed development for a community health facility is one that will provide essential services to the local community provided by the government and therefore qualifies for exemptions from development contributions under the provisions of the RWA Contributions Plan.

## 5 ASSESSMENT OF ENVIRONMENTAL IMPACTS

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

- Building Form and Design Excellence
- Traffic, Transport, Parking & Access
- The Public Domain, Safety & Security
- Heritage
- Ecologically Sustainable Development
- Site Contamination
- The Public Interest

## 5.1 BUILDING FORM & DESIGN

### 5.1.1 Building Envelope

The proposed building envelope of the new building at the rear of the site, facing Turner Street, has regard to the heritage significance of the court house building at the front of the site, which is identified as a heritage item under the MP SEPP. The setbacks of the new building as proposed maintains the existing setback of the court house building and provide an appropriate response.

The existing street setback to Redfern Street is maintained, whilst the new building at the rear is built to the boundary of Turner Street to reinforce the existing built form and provide surveillance. The proposed rear setback is considered appropriate given the proximity of existing development adjoining the site as well the contextual setting of the site within an established inner city locality where small separation distances are a characteristic feature.

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

### 5.1.2 Building Height, Bulk & Scale

The Project Application complies with the density controls for the site under the MP SEPP and will not result in loss of views or solar access to surrounding development. The court house building is retained at its single storey height and the new building in the southern half of the site is a maximum 3 storeys above ground level.

The relationship between the existing single storey court house building and new building is considered acceptable as the proposal retains the general existing configuration of the site, whilst the form and massing of the new building does not visually dominate the court house building as viewed from Redfern Street.

The proposed bulk and scale of the new building is considered an appropriate response to the site and surroundings.

### 5.1.3 Building Design

The design of the new building at the rear of the site, fronting Turner Street, has been developed with regard to the heritage significance of the courthouse building, the public environment of the rear laneway, and the existing built form along Turner Street and surrounding locality. The specific nature of the operations associated with the community health facility has also been considered in the design of the building and as such has informed the location of building and car park entry points.

Conditions of approval will require the built form to have regard to articulation, massing, and proportions, and result in high quality materials and finishes.

## 5.2 TRAFFIC IMPACTS, PARKING & ACCESS

### 5.2.1 Car Parking & Access

The MP SEPP does not indicate car parking requirements for the site. South Sydney DCP No.11 – Transport Guidelines for Development 1996 (DCP 1996) does not specifically define the subject use and is therefore not applied however, part 3.1 of the DCP states that parking requirements can be estimated from surveys of similar establishments. The current community health centre operates from the former Rachel Forster Hospital site with approximately 10 car parking spaces plus an additional 7 parking spaces on Albert Street. This provides an indication of parking requirements for the subject proposal, taking into account that the subject proposal will provide more staff and services than the current operations.

In addition to the visitor spaces within the building, the proponent is currently seeking additional on street spaces on Redfern Street directly in front of the courthouse building and a request has been made to Sydney City Council. In the interim, the SSWAHS will continue to use the existing 7 spaces currently used on Albert Street, as part of

the services operating from the former Rachel Forster Hospital site, and a condition of approval will require that on street parking spaces on Redfern Street be resolved prior to completion of works.

The provision of on-site parking for the development is necessary as the operations of the SSWAHS involve employees visiting clients off-site, as well as some less mobile clients who are unable to park at a distance and require having direct, convenient access to the facility.

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

Manoeuvrability of vehicles in, out and within the parking areas complies with the relevant Australian Standard and will provide safe and efficient movement of vehicles associated with the site.

The site's accessibility to public transport services, including Redfern railway station and frequent bus services along Redfern and Regent Streets, ensures that the traffic and transport impacts are minimised, and the proposal would have no greater impact to the area than the existing health services facility currently operating from the former Rachel Forster Hospital site.

### 5.2.2 Traffic Impacts

The community profile for the area indicates a very low level of car use, at about 25 – 29%. Given the site's high accessibility to public transport and government initiatives to reduce car dependency, it is anticipated that car usage will be around 20-25% once the facility is operational. The traffic assessment uses a 30% rate and concludes that a maximum of 40 vehicle trips could occur during the morning or afternoon peak period with a demand for approximately 28 spaces, which is within the existing level of operation of the road network.

It is noted that the site's previous use as a police station and courthouse would have generated a reasonable level of vehicle activity, characteristic of shift workers and day to day visitors. The police station operated with a total of 100 staff on a shift basis whilst the courthouse had 8 full time staff, with visitors to the police station being 20-30 per day and courthouse visitors varying on a case by case basis.

The subject proposal includes some employees operating from the site whilst others will be off site, providing services such as Community Nursing. Accordingly, it is considered that the proposal will not result in adverse operational or environmental impacts on the existing road network, and the proposed on-site parking provisions and on-street parking availability could readily accommodate the new facility.

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

## 5.3 AMENITY

### 5.3.1 Visual Privacy to adjacent residential properties in Turner Street

The eastern elevation of the new building will have openings to 2 rear yards of adjoining residential and mixed use development to the east, fronting Pitt Street. Given the uses proposed in this part of the development will be predominantly office uses, the impact of overlooking will be minimal.

Given the site's narrow width as well as the characteristic mixed use development in the immediate locality, the location of openings along the eastern elevation is considered acceptable, subject to conditions.

### 5.3.2 Solar Access & Overshadowing

#### *Impact on residential development to the south*

Given the site's regular north-south orientation, some overshadowing impacts are anticipated to residential properties located to the south of Turner Street. Shadow diagrams indicate that at 9:00am on 21 June, window openings to 4 dwellings to the south-west will be impacted and this is reduced considerably by 12 Midday. At 3:00pm only one window is impacted by shadows.

### ***Impact on development to the east***

Development to the east is only affected by shadows at 3:00pm during midwinter and equinox periods.

The previous police station building would have cast similar shadows on surrounding development and thus the impacts of minor additional overshadowing resulting from the proposed building are acceptable given the site's location, orientation and compliance with permissible building height for the site. The proposed new building will not create any additional adverse overshadowing and it will ensure that a satisfactory level of solar access is retained throughout the year to adjoining developments.

## **5.4 ECOLOGICALLY SUSTAINABLE DEVELOPMENT**

As detailed in section 4.4.1 of this report, the Project Application is committed to achieving ESD objectives. Given the constraints posed by the existing court house building and its adaptive reuse in a manner respecting its heritage significance, the features of the proposal include but are not limited to:

- Passive solar design principles and the design of the new building to encourage natural heating and cooling.
- Provision of high thermal performance materials for the new building and in those areas of refurbishment in the existing building.
- Design of roof forms to capture natural light and ventilation.
- Maximising the collection and reuse of rainwater on the site.

The proponent has demonstrated their commitment to achieving a development that is ecologically sustainable and appropriate conditions of approval will be imposed to reflect this. The Project Application proposal is therefore considered to satisfactorily address this issue.

## **5.5 THE PUBLIC DOMAIN, SAFETY & SECURITY**

The new building at the rear of the site, fronting Turner Street, gives consideration to activating the public domain environment as well as providing for the safety and security of the site and its users by setting the building at the street boundary with uses proposed at the rear so as to provide casual surveillance and activation. The use of lighting will create safe places for users of the site and the use of physical barriers such as security fencing will provide delineation between the site and the public street environment. The principles of Crime Prevention Through Environmental Design (CPTED) have been considered in the proposal and will be utilised throughout the project.

Further, the Division of Population Health within NSW Health has specific policy and procedures to ensure that staff, clients and visitors are protected. Safety and Security Guidelines for Community Health Nurses are also in place by NSW Health. The layout of the community health facility has been considered with regard to the existing heritage item and the need to provide a new development that will function in an aesthetically pleasing, safe and secure setting. The proposal is considered to be satisfactory in regard to safety, security and the public domain.

## **5.6 SITE CONTAMINATION**

As discussed in section 4.6.4 of this report, in accordance with SEPP 55, has demonstrated that the site is suitable for the proposed use. Specifically, a Phase 1 Environmental Site Assessment undertaken in June 2006 found that no licences for dangerous goods were identified for the site and records did not reveal any recorded contamination problems.

## **5.7 HERITAGE**

### **5.7.1 European Heritage**

The single storey courthouse building fronting Redfern Street is a heritage item, and will be retained and incorporated into the new development. It is not listed on the State Heritage Register.

A Conservation Management Plan (CMP) has been prepared for the Redfern Court House, highlighting its significance as a building designed the first NSW Government Architect, and for its important social and civic role in Redfern, both in the provision of legal services and its use as a meeting and gathering place.

The demolition of the police station building will have some minor impact on the understanding of the operational relationship between the court house and police station however, the redevelopment of the site is considered acceptable given the police station building has undergone extensive changes to its fabric over the years and is currently in poor condition. Mitigative measures have been included in the design of the new community health facility and include:

- Minimising internal wall removal to only necessary and low significance areas;
- Separation of new 3 storey building to the rear with a single storey pavilion;
- Minimising bulk and scale of new building to reduce impact on courthouse building;
- Uses proposed in courthouse building require loose fit-out with reversible internal additions.

The HIS recommends measures to be incorporated into the conditions of approval, including archival recording, preparation of an Interpretation Strategy, and to engage a qualified person(s) to undertake conservation work.

The NSW Heritage Office is generally supportive of the approach adopted by the proponent to ensure that the historical, architectural and social significance of the building is considered in the Project Application, and agrees with the recommendations in the HIS.

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

### 5.7.2 Aboriginal Heritage

A preliminary Aboriginal desktop assessment of archaeology concludes that prior to European settlement, the study area was located on an Aboriginal archaeological sensitive landscape where Aboriginal archaeological sites would have been located however, European settlement over time has impacted the study area enough to reduce the likelihood of intact Aboriginal archaeological sites within the study area to a low probability. This is confirmed by results from 3 geotechnical boreholes across the study area.

The location of a courtyard area within the proposed basement car park is indicative of having less historic impacts and therefore may have remaining intact natural deposits. As such, the assessment recommends that a geotechnical borehole be placed in the location of the courtyard to confirm the subsurface condition of the study area and resolve the current limited Aboriginal archaeological constraint. It is also recommended to assess the cultural significance that the courthouse and police station site may have with the local Redfern Aboriginal Community, and presented as an Aboriginal Cultural Heritage Assessment report.

The NSW Heritage Office is satisfied with the assessment presented and recommends that the recommendations be included in the conditions of approval.

## 5.8 SOCIAL & ECONOMIC IMPACTS

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

*Heritage Conservation* – the historical, social and aesthetic importance of the former Redfern Local Court House building will be respected and form part of the new community health facility through its adaptive reuse.

*Community Facility* – a new, improved community health centre in the Redfern area is being provided, which will have benefits to the wider community.

*Jobs* – new jobs will be created during the construction phase of the development as well as on-going operational jobs.

The proposed development will generate use on a currently vacant building which will have positive social and economic impacts to the community as outlined above.

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

## 5.9 PUBLIC INTEREST

The proposed adaptive reuse and redevelopment of the former Redfern Local Court House and Police Station buildings will provide significant benefits to the community, including:

- Provision of a new community health facility.
- Employment opportunities through the construction phase of the development.
- Provision of public open space.

The development also incorporates the adaptive reuse of an existing heritage building (court house) on the site, ensuring that the heritage significance of the site is retained and interpreted sympathetically.

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

## 6 CONSULTATION AND ISSUES RAISED

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### 6.1 PUBLIC EXHIBITION DETAILS

The major project application was exhibited from 6 February 2008 to 6 March 2008 for 30 days and was published in the newspaper. The EA was made available to the public in the Department's Information Centre and at the City of Sydney Council's Town Hall House office as well as the Redfern Neighbourhood Centre.

### 6.2 SUBMISSIONS RECEIVED ON ENVIRONMENTAL ASSESSMENT

The Department received a total of 3 submissions, all from public authorities being:

- NSW Heritage Office;
- RTA; and,
- NSW Ministry of Transport.

The issues raised are summarised below.

One public enquiry was made raising concerns about the REPIDU use and its exact details, and whether the proposed development included a drug injecting facility. The PPR responds to this enquiry as follows:

*The REPIDU is the area within the Community Health Centre where current and past injecting drug users come for education, support and counselling in respect to their health and their drug use. The area includes a waiting area, reception (including distribution area and store for injecting equipment and associated supplies), interview and consulting rooms, and a toilet. The REPIDU will operate from 9:00am to 6:00pm Monday to Friday with additional hours from 6:00pm to 9:00pm, Monday to Thursday and 9:00am to 5:00pm Saturday and Sunday.*

The proposed REPIDU facility forms part of the services to be provided by the community facility and the proposed hours of operation are considered to be acceptable.

### 6.3 SUBMISSIONS FROM PUBLIC AUTHORITIES

The following submissions were received from public authorities:

#### 6.3.1 *NSW Heritage Office*

The NSW Heritage Office raises no objection to the proposed development, acknowledging that the courthouse building has been vacant since 2005 and its re-use as a community health facility will encourage ongoing appreciation of the former courthouse use as well as its conservation and management.

The NSW Heritage Office supports the recommendations made in the HIS and Preliminary Aboriginal Desktop Assessment, and for them to be included in the conditions of approval.

### 6.3.2 RTA

The RTA did not raise any objection to the proposed development and provided comments for consideration in the assessment and for inclusion in the final conditions of approval. Specifically, the RTA requires car parking areas to be designed in accordance with the relevant Australian Standard, swept paths and on-site manoeuvrability to be in accordance with AUSTROADS, all vehicles to enter and leave the site in a forward direction, all works/regulatory signposting to be at no expense to the RTA, and for the preparation of a Construction Management Plan.

The PPR demonstrates through swept paths diagrams that proposed vehicular movements will comply with the relevant Australian Standard and that all vehicular movement associated with the site will be in a forward movement. Conditions of approval will ensure that RTA's requirements are met.

### 6.3.3 NSW Ministry of Transport

The Ministry of Transport has made comments about reducing the provision of on-site parking as an effective measure of encouraging greater mode shift to public transport together with walking and cycling. The proposed development is committed to encouraging public transport usage amongst its employees and clients however the nature of SSWAHS's operations requires on-site parking to be made available, particularly when accessing off-site clients.

The proposal outlines strategies that SSWAHS will implement to encourage the use of public transport, including the development of a Travel Access Guide, as they have done in other locations. Walking and cycling are also encouraged through management initiatives on healthy lifestyles.

The Ministry also required details as to the impacts of likely transport needs of future operations on the capacity of existing transport services. The growth of the centre and its impacts are considered in the traffic assessment and it is concluded that the ultimate usage of the facility will still be within the capacity and efficiency limits of the existing traffic and transport network.

It is noted that the existing community facility operating from the former Rachel Forster Hospital site does not adversely impact on existing transport services, and that restricted on street parking in the area will adequately provide for users of the new facility.

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

## 7 CONCLUSION

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The Department has assessed the EA and considered the submissions in response to the proposal. The key issues raised in submissions relate to the new building and its impact on the protection of the heritage listed courthouse building, on-site parking, vehicle movements, and encouragement of public transport and other transport modes. The Department has determined that the proponent's response to the key issues in their EA and Draft Statement of Commitments will ensure there are minimal environmental impacts as a result of the proposal.

A key feature of the Project Application is the adaptive reuse and upgrade of the existing heritage building. The public benefit of the redevelopment is highly desirable, with the provision of a new community health centre in Redfern.

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

The Department has determined that the site is suitable for the proposed development and is in the public interest. Accordingly, the Department recommends that the Project Application be approved, subject to conditions.

## 8 RECOMMENDATION

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For project application:

It is recommended that the Minister:

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

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

### Director-General's Requirements

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

Application number	07_0011
Project	Project application for adaptive re-use of the Redfern Court house into a community health centre
Location	Lots 3 & 4 in DP 2051, 103-105 Redfern Street, Redfern
Proponent	Health Administration Corporation
Date issued	27 February 2007
Expiry date	2 years from date of issue
General requirements	<p>The Environmental Assessment (EA) must include:</p> <ol style="list-style-type: none"> <li>1. an executive summary;</li> <li>2. demonstration as to how the development, when completed, will achieve the objectives of the SEPP (Major Projects) 2005 Schedule 3, The Redfern-Waterloo Authority Sites – Business Zone – Local Centre;</li> <li>3. Landowners' consent for the development site;</li> <li>4. description of the site, including cadastre, title details, existing easements (including sewer mains, and/or encumbrances);</li> <li>5. details of the proposed layout, land uses, size and scale of the main components of the development, FSR, height (AHD);</li> <li>6. details of the methodology used for the calculation of the FSR in accordance with the relevant Environmental Planning Instruments (EPI);</li> <li>7. an assessment of the environmental impacts of the project with particular focus on the key assessment requirements specified below;</li> <li>8. a description of the measures that would be implemented to avoid, minimise, mitigate, offset, manage, and/or monitor the impacts of the project;</li> <li>9. a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;</li> <li>10. a conclusion justifying the project, taking into consideration the environmental impacts of the proposal, the suitability of the site, and whether or not the project is in the public interest;</li> <li>11. a signed statement from the author of the Environmental Assessment certifying that the information contained in the report is not false or misleading; and</li> <li>12. a Quantity Surveyor's Certificate of Cost to verify the capital investment value of the project.</li> </ol>
Key issues	<p>The Environmental Assessment must address the following key issues:</p> <ol style="list-style-type: none"> <li>1. <b>Relevant EPIs and Guidelines to be addressed</b> <ul style="list-style-type: none"> <li>• Planning provisions applying to the site, including permissibility and the provisions of all plans and policies including: <ul style="list-style-type: none"> <li>○ SEPP (Major Projects) 2005 Schedule 3, The Redfern-Waterloo Authority Sites;</li> <li>○ SEPP 11 – Traffic Generating Development;</li> <li>○ SEPP 55 – Remediation of Land;</li> <li>○ Standard Instrument (Local Environmental Plans) Order 2006; and,</li> <li>○ the Redfern-Waterloo Built Environment Plan (Stage One) August 2006.</li> </ul> </li> <li>• Address provision of public infrastructure having regard to any Redfern Waterloo Authority Section 31 Contribution Plans.</li> <li>• Nature and extent of any non-compliance with relevant environmental planning instruments, plans and guidelines and justification for any non-compliance.</li> </ul> </li> </ol>

## 2. Building design

- The proposal must exhibit design excellence in accordance with the provisions contained in the SEPP Major Projects (2005) Schedule 3 The Redfern-Waterloo Authority Sites, with particular regard to the principles outlined below. Visual aids such as a photomontage must be used to demonstrate visual impacts of the proposals in particular having regard to the siting and design, bulk and scale relationships, appropriate use of materials and detailing having regard to the heritage fabric of the building.
- Where practicable plant equipment should be located within the basement to minimise the visual and acoustic impacts. Where this can not be achieved justification for roof top plant rooms is required. Further more, the rooftop plant shall: be designed as an integral part of the building; minimise the visual bulk of the building; not increase overshadowing of the adjacent development; be adequately attenuated to avoid acoustic impacts on surrounding properties;

## 3. Building Uses

- Provide detailed explanation of the proposed building uses including description, hours of operation, number of staff, and number of clients visiting each component of the facility.

## 4. Ecologically Sustainable Development

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

## 5. Heritage

- Identify any items of European heritage significance and provide a heritage impact statement in accordance with the *Heritage Manual*, (NSW Heritage Office & DUAP 1996).
- Identify whether the site has significance to Aboriginal cultural heritage and where applicable prepare an independent Archaeological report in accordance with the draft *Guidelines for Aboriginal Cultural Heritage Impact Assessment & Community consultation*, DEC, July 2005.

## 6. Employment and Enterprise

- Details of the potential local employment and enterprise generation of the project.

## 7. Social and Economic Impacts

- Identify employment, cultural, social opportunities that will be provided to support the development.
- The application must address long term social sustainability issues such as governance and address impacts on community safety, the local community impacts, and measures to ensure the minimisation of crime and anti-social behaviour.

## 8. Safety/ Public areas/ Pedestrians

- The environmental assessment is to demonstrate how the proposed building envelope, building design and treatment of the public domain will:
  - Maximise safety, security and public surveillance within the public areas including disabled access to the side of the front entrance and car park access. Specific regard should be given to the Department of Planning's Guideline; *Crime prevention and assessment of development applications* 2001;
  - Ensure access for people with disabilities;
  - Minimise potential for vehicle and pedestrian conflicts rationalising the three (3) entrance points along Turner Street.

## 9. Traffic Impacts (Construction & 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 shall:
  - Address impacts and measures to mitigate impacts on local and arterial roads and adjacent road intersections;
  - Compliance with relevant Council and RTA traffic and car parking codes;
  - Detail strategies for encouraging public transport patronage for employees and visitors, in particular the railway station given its proximity to the site;
  - Provide details of service and delivery vehicles movements;
  - Provide details of bicycle facilities to be incorporated into the development.
  - Detail adequate emergency vehicle access.

	<p>10. <b>Construction Impacts</b></p> <ul style="list-style-type: none"><li>• Address measures to ameliorate potential impacts arising from the construction of the proposed development.</li></ul> <p>11. <b>Potential Contamination On site</b></p> <ul style="list-style-type: none"><li>• The environmental assessment is to demonstrate compliance that the site is suitable for the proposed use in accordance with SEPP 55.</li></ul> <p>12. <b>Drainage</b></p> <ul style="list-style-type: none"><li>• The environmental assessment is to address drainage issues associated with the development.</li></ul> <p>13. <b>Services/infrastructure and utilities</b></p> <ul style="list-style-type: none"><li>• In consultation with relevant agencies, address the existing capacity and requirements of the development for water, electricity, waste disposal, telecommunications and gas.</li><li>• Details of any augmentation to services and utilities required to meet the demand generated by the proposed project.</li></ul>
<b>Deemed refusal period</b>	Under clause 8E(2) of the <i>Environmental Planning and Assessment Regulation 2000</i> , the applicable deemed refusal period is 60 days from the end of the proponent's Environment Assessment period for the project.

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## APPENDIX B. SUMMARY OF SUBMISSIONS

### Redfern Community Health Centre Development at former Redfern Courthouse site MP07\_0011

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

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

Date	Agency	Agency comment	Department's response
19 February 2008	NSW Heritage Office	<ul style="list-style-type: none"> <li>- Key elements of high significance be retained.</li> <li>- Recommendations in HIS to be included in conditions of approval.</li> <li>- Recommendations in Preliminary Aboriginal Desktop Assessment to be included in conditions of approval.</li> </ul>	See Section 5.7 and 6.3.1 in report.
10 April 2008	RTA	<ul style="list-style-type: none"> <li>- On-site parking to be provided to meet requirements of proposal.</li> <li>- Swept paths to comply with AUSTRROADS.</li> <li>- Car parking design to comply with relevant Australian Standard.</li> <li>- All works/regulatory signposting to be at no cost to RTA.</li> </ul>	See Section 5.2 and 6.3.2 in report.
14 April 2008	NSW Ministry of Transport	<ul style="list-style-type: none"> <li>- Minimalist approach to be applied to car parking given the site's accessibility to public transport.</li> <li>- Proposal to address impact on existing transport capacity, resulting from growth in services and staff over time.</li> <li>- Discuss specific strategies to encourage public transport.</li> </ul>	See Sections 5.2.2 & 6.3.3 in report.

## APPENDIX C. RESPONSE TO SUBMISSIONS

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A response from the Proponent to matters raised in submissions is as follows:

### **Submission from the Heritage Office**

#### **Submission:**

*"Key elements of 'high significance' relating to the former Redfern Courthouse to be retained include the external configuration, forecourt, vestibule, public waiting area, courtroom, internal general room layout and all significant internal and external detailing.*

*The building has not been used since 2005 and its re-use as a Community Health centre will encourage on-going appreciation of the former courthouse use as well as its conservation and management. Also the increased public and on-going public access will provide opportunity for interpretation. The Heritage Office supports this recommendation.*

*Recommendations 1-6 page 25 of the Heritage Impact Statement for Redfern Community Health Centre, 103-105 Redfern Street Redfern by City Plan Heritage dated September 2007 must be included as conditions in any permit issued for the Redfern Community Health Centre.*

*Recommendations set out in Section 8, specifically recommendations 1, 2, 2.1 and 2.2 of the Preliminary Aboriginal Desktop Assessment for Redfern Courthouse and Police Station, Redfern NSW by Austral Archaeology Pty Ltd dated August 2007 must be included in any permit issued for the Redfern Community Health Centre.*

*If, during development processes, any evidence of any Aboriginal archaeological site or relic is found all work on the site is to cease and the National Parks and Wildlife Service (NSW) and the Heritage Office must be contacted immediately.*

*If, during construction processes, any evidence of any previously unidentified European heritage items and/or archaeological relics is found all work on the site is to cease and the Heritage Office contacted immediately.*

#### **Response:**

The comments made by the Heritage Office are noted.

Recommendations 1-6 of the Heritage Impact Statement are included in Statements of Commitment at P15, D16, D17, D18, O6 and O7.

Recommendations of the Preliminary Aboriginal Desktop Assessment for Redfern Courthouse and Police Station are included in Statements of Commitments at D19, D20, and D21

Statement of Commitment D22 addresses the other issues raised by the Heritage Office.

## Submission from RTA

The following provides comments on matters raised in the letter dated 5 February 2008 and received by the Department of Planning on 15 April 2008 from the RTA to the Director of Urban Assessments.

### Issue:

*On street parking should not be considered as satisfying the parking requirements of the proposal.*

### Response:

On site parking provision for the development will comprise parking for 29 cars and two vans on the basement and ground floor levels with access for all vehicles from Turner Street. On site parking is restricted due to the narrow dimensions of the site, the height limitations applying to the site and the retention of the Courthouse building. These constraints make it impossible to feasibly provide additional parking.

The proposed provision of on-site parking is considered the minimum adequate for the Centre, and while there is a good level of public transport available for staff and clients, and a high proportion of clients using the site are able to walk to the Centre, there is a need for a modest number of additional on street parking spaces for Sydney South West Area Health Service (SSWAHS) vehicles and for client vehicles above that which can be provided for on site.

Due to the nature of the services provided from the Centre a relatively large number of SSWAHS vehicles are used for the provision of services. These vehicles will generally be securely parked overnight at the Centre and during the day will be used by staff. A number of these vehicles will be

going to and from the Centre during the day on a relatively frequent basis. The project proposes the use of the spaces in Redfern Street, outside the Courthouse as short term parking for SSWAHS vehicles in business hours.

There is also a requirement for REPIDU clients to have easy access to the site and in addition to the on-site client parking, a small number of short term client on street parking spaces will markedly improve the convenience and accessibility of the Centre for these clients.

These on street parking arrangements are similar to those provided in Albert Street at the present location of the CHC on the corner of Pitt and Albert streets at the former Rachel Forster Hospital. These proposed arrangements for the new Centre have been discussed with Sydney City Council traffic and transport planning who supported the proposal in principle and SSWAHS will now progress to formalize these spaces with Sydney City Council.

It is also noted that for the former use of the site as a Police Station and Courthouse provided no on-site parking. Therefore with the provision of the majority of the required parking for the community health centre being provided on site there will be a net increase of on street parking available for other users.

**Issue:**

*The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.*

**Response:**

The largest vehicles expected to enter the site including for delivery and waste removal are medium size trucks with length of 6.4m. Diagrams illustrating the exiting and egress of such vehicles were provided as part of the Environmental Assessment (refer to figure SKC01A). The driveways, aisle widths and parking space dimensions meet or exceed Australian Standard AS 2890 1 – 2004.

The swept paths and manoeuvrability within the site are compliant with AUSTRROADS as demonstrated in plans submitted to the Department of Planning. Approval of Council is not required.

**Issue:**

*Service vehicles using the loading area are not to obstruct access to the visitor car parking spaces.*

**Response:**

The on site parking and access as noted above is restricted due to the narrow dimensions of the site, the height limitations applying to the site and the retention of the Courthouse building. Despite this, the driveway widths and parking space dimensions meet or exceed Australian Standards. Two car spaces could be obstructed for short periods by service vehicles using the loading area. However this will be a rare occurrence as service vehicles will be able to utilize the SSWAHS van parking areas during business hours, as these vans are stationed away from the Centre during business hours, and provide unobstructed access to all visitor spaces.

**Issue:**

*The layout of the proposed car parking areas associated with the subject development (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1 – 2004 and AS2890.2 – 2002 for heavy vehicle usage.*

**Response:**

The driveways, aisle widths and parking space dimensions meet or exceed Australian Standard AS 2890 1 – 2004. However, the heavy vehicle usage standard AS 2890.2 – 2002 is not appropriate for this site.

**Issue:**

*All vehicles are to enter and leave the site in a forward direction.*

**Response:**

Agreed.

**Issue:**

*All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA.*

**Response:**

Agreed

**Issue:**

*A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a construction certificate.*

**Response:**

As set out in Statement of Commitment P14, a Traffic and Pedestrian Management Plan will be prepared prior to construction in consultation with Sydney City Council. Approval of Council is not required.

## **Submission from Ministry of Transport**

**Issue:**

*The Ministry notes in-principle support indicated for lower provision of car parking spaces, although there appears to be attempts to account for additional parking spaces in the vicinity of the project site. It is recommended that a minimalist approach to car parking be required based on the accessibility of the site to public transport. The Ministry is keen to reduce the provision of on site parking as an effective measure of encouraging greater mode shift to public transport together with increased walking and cycling.*

**Response:**

NSW Health and the Area Health Service also support a minimalist position as noted in the traffic report. This report advises a high level of public transport use is anticipated and car use to be only 20 to 25% of trips once the Centre is operational. However, due to the nature of the facilities offered at the centre and the way in which these facilities are used by clients, a minimum level of parking for visitors and staff is required. The level of proposed parking on site and the modest level of on-street parking for the operation of the Centre support the Ministry's objectives. It is also noted that the use of on-street parking is a legitimate mechanism to account for high turnover parking, such as that for the use of the REPIDU.

**Issue:**

*The environmental assessment notes that the proposed development will replace the existing inferior facilities in the Rachel Forster Hospital and will manage outreach programs. While the report declares growth in services and staff over time, it asserts that the development proposal does not represent an increase in traffic and transport impact. The basis for this assertion is not clear in the report.*

*It needs to be stressed that increased patronage of health services as a result of the shift from the old hospital to the proposed development could potentially have transport implications. This should be addressed in the environmental assessment. In this regard, it is desirable for the assessment to:*

- *determine the likely transport needs of the future operations of the proposed development and the capacity of the existing transport services to meet the demand; and*
- *identify what level of additional infrastructure, if any, would be required to satisfy that demand.*

**Response:**

The Traffic and Parking report for the project states the Centre does not represent an increase in traffic and transport impact, apart from the growth in services and staff over time.

The project will replace existing inferior facilities in the nearby former Rachel Forster Hospital building and other nearby premises. The services will be consolidated in the proposed new community centre and there will be operational and quality of services advantages for staff and clients in the new premises. However the services exist now and the growth in services will occur as demand requires and is not a function of the new development proposal as such.

Despite this, the traffic report and the environmental assessment consider the growth of the centre to its forecast level and assesses the impacts of these (refer page 29 and Appendix C). The traffic and transport analysis concludes that the ultimate usage of the facility will still be within the capacity and efficiency limits of the existing traffic and transport network as it represents the equivalent of the addition of one car per one and a half minutes.

**Issue:**

*The report has not demonstrated how it will optimise the opportunity provided by the project site's proximity to public transport. The report need to identify and discuss explicit strategies in this regard. These strategies may include:*

- *The requirement for the preparation of Travel Access Guide (TAG) as detailed in the producing and Using Transport Access Guides by the Roads and Traffic Authority (RTA); and*
- *The requirement for the provision of facilities for the secure storage of bikes together with amenities for cyclists.*

**Response:**

The Environmental Assessment at page 30 outlines strategies that the Area Health Service will implement to encourage the use of public, including the development of a TAG as they have in previous locations. Walking and cycling are also encouraged through management initiatives on healthy lifestyles. A copy of a TAG used in another centre as an example is attached at Appendix B.

Provision for bicycle storage is provided in the basement car park – refer plan DA 101 submitted with the project application.

## **Submission from member of the public**

**Issue:**

*Concern was raised about the REPIDU use and what it exactly entails, and specifically whether it is proposing a drug injecting facility.*

*Concern also regarding how many nights a week the REPIDU centre will operate until 9pm as there is an inconsistency in the environmental assessment.*

**Response:**

The Resource and Education Program for Injecting Drug Users REPIDU is the area within the Community Health Centre where current and past injecting drug users come for education, support and counselling in respect to their health and their drug use. The area includes a waiting area, reception (including distribution area and store for injecting equipment and associated supplies), interview and consult rooms and a public toilet. The REPIDU will operate from 9am to 6pm Monday to Friday with additional hours from 6pm to 9pm four nights a week and 9am to 5pm Saturday and Sunday.

## APPENDIX D. ENVIRONMENTAL ASSESSMENT

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To be provided on disk.