Public Exhibition - Planning Proposal - 44-78 Rosehill Street, Redfern - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment and Sydney Development Control Plan 2012 Amendment - Student Accommodation

File No: X095910

Summary

Rosehill Street Redfern is part of a well-connected mixed-use corridor anchored by Redfern Station and the emerging Waterloo Metro station. The area has strong links to major education, health and research institutions, established neighbourhood centres and the employment, cultural and innovation precincts at South Eveleigh. Ongoing investment in this area supports growth in student and worker populations and strengthens its role as an accessible education-focused hub.

A planning proposal has been prepared for 44–78 Rosehill Street, Redfern, following a request by the applicant to amend the planning controls for the site. The proposal seeks to amend the height of building and floor space ratio controls to enable a part-5, part-6 storey co-living housing development for student accommodation. The proposed height increase is modest and to accommodate the slope of the site, with the built form sitting largely within the existing 18-metre limit. These changes will support purpose-built student accommodation in a highly accessible location close to major transport and education facilities. The scheme is more modest than earlier proposals for the site and has been designed to respond to site constraints and to protect the amenity of neighbouring development and open spaces.

The applicant has submitted a public benefit offer to enter into a planning agreement. The offer includes the dedication of land to facilitate the widening of Margaret Street and an affordable housing monetary contribution equal to 17% of the additional residential floor space generated by the proposal (exclusive of any future 3% development application contribution), consistent with Council's recently exhibited draft Affordable Housing Program. A draft site-specific development control plan has been prepared to guide the built form, consistent with the planning proposal.

A separate amendment to the Sydney Development Control Plan 2012 is also proposed to introduce tailored provisions for student accommodation across the local government area. These updates respond to the distinct operational and design characteristics of purpose-built student housing and recent industry feedback.

This report recommends approval of the planning proposal for submission to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination, followed by public exhibition. It also recommends that the draft development control plans are endorsed for exhibition and that a draft planning agreement is prepared based on the public benefit offer. It is proposed that all documents are exhibited concurrently.

Recommendation

It is resolved that:

(A) Council approve Planning Proposal - 44-78 Rosehill Street, Redfern, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;

(B) Council approve Planning Proposal - 44-78 Rosehill Street, Redfern, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;

(C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 44-78 Rosehill Street, Redfern;

(D) Council approve the Draft Sydney Development Control Plan 2012 - 44-78 Rosehill Street, Redfern, as shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;

(E) Council approve the Draft Sydney Development Control Plan 2012 - Student Accommodation, as shown at Attachment C to the subject report, for public exhibition;

(F) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 44-78 Rosehill Street, Redfern, to correct any drafting errors or to ensure consistency with the Gateway Determination;

(G) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 - 44-78 Rosehill Street, Redfern and to Draft Sydney Development Control Plan 2012 - Student Accommodation, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and

(H) Council note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 12 November 2025, shown at Attachment D to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

Attachments

Attachment A. Planning Proposal - 44-78 Rosehill Street, Redfern, and appendices

Attachment B. Draft Sydney Development Control Plan 2012 Amendment - 44-78 Rosehill Street, Redfern

Attachment C. Draft Sydney Development Control Plan 2012 Amendment - Student Accommodation

Attachment D. Public Benefit Offer - 44-78 Rosehill Street, Redfern

Background

1. A planning proposal request has been lodged for a site in Redfern, close to Redfern Station. The site is located at 44-78 Rosehill Street, Redfern and has frontages to Rosehill Street, Margaret Street and Cornwallis Lane, as shown in Figure 1.

Figure 1: Aerial image of subject site (in red) and immediate vicinity

2. The site has a total site area of approximately 2,544 square metres. Existing development on the site consists of a 2-storey concrete building with commercial tenancies and ground-level car parking.

3. The site is zoned MU1 Mixed Use, with a maximum building height of 18-metres and a maximum floor space ratio of 2:1. It is not a heritage item and is not in a heritage conservation area. The Redfern Estate Heritage Conservation Area (C56) is located approximately 70 metres to the east of the site, and the State-listed Eveleigh Railway Workshops are to the west.

4. Further details of the site and existing planning controls can be found in Section 1 and Section 2 of the Planning Proposal at Attachment A. An image of the existing building is shown at Figure 2, with the site context at Figures 3 and 4.

Figure 2: View of the existing building (site outlined in red)

Figure 3: Site context (site outlined in red)

Figure 4: View from Gibbons Street and Boundary Street towards the site (site outlined in red)

5. Mecone, on behalf of the applicant, lodged a request to prepare a planning proposal in December 2025.

6. The site has been subject to 2 previous planning proposal requests. In 2018, the City refused a proponent-led planning proposal seeking to increase the maximum floor space ratio (FSR) from 2:1 to 10.4:1 and the maximum building height from 18 metres to 99.6 metres. The reference design included 2 residential towers of 30 and 18 storeys. The proponent initiated a rezoning review following the refusal. The Independent Planning Commission also refused the proposal and supported the City's position.

7. In 2021, the City prepared a precinct-wide planning proposal for the Botany Road Precinct to increase development potential from Redfern Station to McEvoy Street. The proposal included the site and identified potential building heights up to 70 metres and floor space ratios up to 7.75:1 (8.525:1 with design excellence). During public exhibition, residents raised concerns about scale and amenity impacts. After reviewing submissions, the City removed several northern sites, including 44–78 Rosehill Street, from the proposal. Key concerns related to solar access impacts on the apartments along Gibbons Street and limited separation to apartments along Cornwallis Street.

8. The reference scheme that underpins the current planning proposal is significantly smaller in scale than the earlier proposals. It responds to previous concerns through building separation, a building envelope shaped to reduce overshadowing and a building height largely within the existing control. These matters are discussed in subsequent sections of this report.

Key implications

The proponent has requested increased height and floor space controls to enable a co-living housing development for student accommodation

9. The proponent has requested a planning proposal to facilitate the redevelopment of the site to include:

   (a) a part 5, part 6-storey co-living building up to a maximum height of 20 metres;

   (b) a total gross floor area of 8,837 square metres, representing an FSR of up to 3.5:1 including the non-discretionary bonus for co-living housing under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP); and

   (c) ground-floor communal space, communal rooftop open space of about 500 square metres, and approximately 327 student rooms.

10. Images prepared by the proponent of the indicative development scheme are shown in Figures 5, 6 and 7.

Figure 5: Indicative development concept - view at the corner of Margaret Street

Figure 6: Indicative development concept - view from Gibbons Street

Figure 7: Indicative development concept - at intersection of Rosehill Street and Gibbons Street

The City has prepared a planning proposal to increase the height and floor space for a co-living housing development for student accommodation

11. The planning proposal details the proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) by inserting new site-specific provisions.

12. The provisions are to:

    (a) permit a maximum building height of 20 metres, an increase from the current control of 18 metres;

    (b) provide a site-specific FSR bonus of 1.2:1 where the development is a co-living development used for student accommodation, enabling a total maximum FSR of 3.5:1 inclusive of the mapped FSR (2:1), the 10% bonus for co-living housing under Clause 68 of the Housing SEPP and site-specific bonus of 1.2:1; and

    (c) exclude the ability for the consent authority to grant additional height or floor space for design excellence under clause 6.21D(3).

13. Further explanation of the provisions can be found in Section 4 of the Planning Proposal.

A site-specific Development Control Plan will guide the built form of the co-living housing development to protect local amenity

14. A draft site-specific development control plan (draft site-specific DCP) is at Attachment B and provides further guidance for development facilitated by this planning proposal. It contains site-specific provisions that include:

    (a) a defined building envelope, including required setbacks from all boundaries, upper-level step-backs, building articulation and maximum height in storeys (refer Figure 8);

    (b) requirements to minimise impacts on neighbouring residential properties, including privacy measures, building breaks, and controls to maintain solar access to Daniel Dawson Reserve;

    (c) deep-soil landscaping requirements along Cornwallis Lane and Margaret Street to support urban tree canopy and improve the public domain;

    (d) access, loading and waste servicing controls, including no private vehicle parking and swept-path requirements for Council waste vehicles; and

    (e) sustainability measures.

Figure 8: 44-78 Rosehill Street, Redfern - Setbacks and height in storeys

Changes to the Development Control Plan will provide tailored controls for student accommodation across the local area

15. A separate amendment to the DCP relating to co-living housing used as student accommodation (draft student accommodation DCP) is provided at Attachment C. This draft DCP contains additional provisions to apply across the local government area.

16. In June 2025, Council approved Policy and Housekeeping amendments to the Sydney Development Control Plan 2012 which included controls for boarding houses and co-living housing such as minimum private room dimensions and bicycle parking rates. As student accommodation is captured in the definition of co-living housing under the Sydney Local Environmental Plan 2012, these controls will also apply to student accommodation once the Policy and Housekeeping PP is finalised by the Department of Planning, Housing and Infrastructure. This is expected within the next couple of months.

17. The draft student accommodation DCP at Attachment C introduces tailored controls that reflect the distinct operational model, design needs and occupancy characteristics of purpose-built student accommodation. The additional provisions will operate alongside the new provisions for boarding house and co-living housing. The additional provisions include:

    (a) new definitions to distinguish student rooms from other co-living rooms;

    (b) adjusted design controls for student rooms, including a reduced minimum internal room dimension of 2.4 metres, recognising the different layouts commonly used in purpose-built student accommodation;

    (c) modified requirements for in-room facilities, enabling smaller kitchens, bathrooms and laundries where high-quality communal facilities are provided;

    (d) reduced wardrobe requirements for student rooms, reflecting shorter average residency duration and typical patterns of student occupation;

    (e) tailored bicycle parking rates of one resident space per 5 rooms and one visitor space per 50 rooms in highly accessible locations; and

    (f) reworded amenity standards for private rooms to improve clarity.

18. These provisions respond to feedback from student accommodation operators received following the approval of the Policy and Housekeeping Local Environmental Plan and Development Control Plan amendments. Operators highlighted that they have a distinct design model that places greater emphasis on high-quality communal facilities and compact private rooms and typically located close to university campuses and major public transport nodes. As a result, certain requirements in the broader co-living controls - particularly bicycle parking - were found to be disproportionate to actual demand. Surveys undertaken by operators and submitted to the City demonstrate consistently low utilisation of bicycle parking provided under the current DCP rates, supporting the need for tailored standards.

19. The City considers it appropriate to introduce these tailored controls for student accommodation to take effect when the Policy and Housekeeping amendments commence, avoiding the need for further amendment soon after their introduction.

The proposal is a good contextual fit and has site-specific merit

20. The proposed building envelope has been designed to respond to the site's context and maintain an appropriate scale within the surrounding mid-rise character. The proposal includes a modest increase to the maximum building height from 18-metres to 20-metres, to allow a consistent building form across the site.

21. The height increase provides flexibility for the building envelope to accommodate the slope of the site. As demonstrated in Figure 9, the envelope extends above the existing 18-metre controls only at the south-west corner of the site affected by a natural dip in the ground, which reaches approximately 1.5-metres at its deepest point. The remainder of the built form sits within the existing 18-metre height limit.

22. Elements that extend above the 18-metre height, aside from the south-west corner, relate to rooftop structures rather than habitable built form. These include plant rooms and lift overruns that support a green roof with communal open space. These rooftop elements may exceed the new 20-metre height in line with the City's forthcoming LEP provision for structures associated with green roofs. This provision aims to support green roofs where overshadowing and privacy impacts are minimal. It does not allow any gross floor area above the maximum height limit.

23. As shown in Figure 8 above, the site-specific DCP identifies the maximum height in storeys for the development, to ensure that future development on the site largely remains within the existing 18-metre limit.

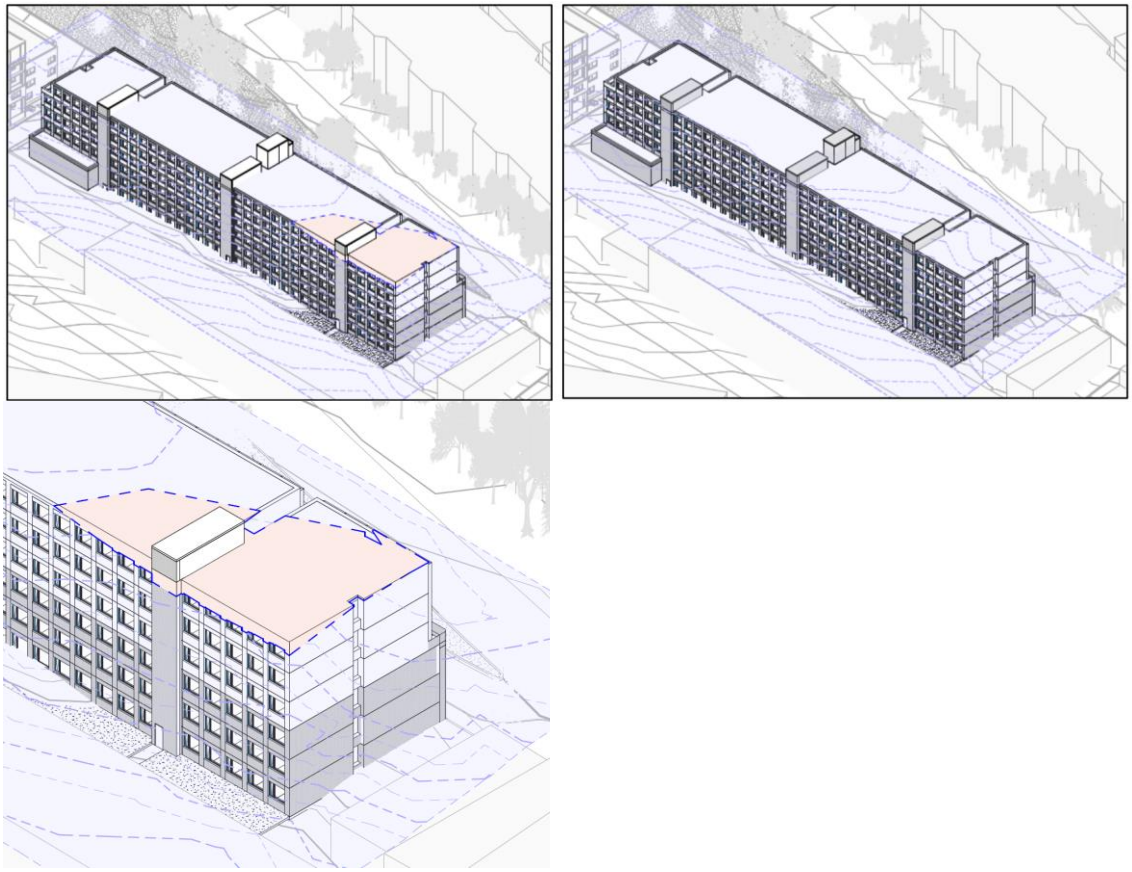

Figure 9: Analysis of building height - existing 18-metre height plan (left and extract at lower left) and proposed 20-metre height plane (right)

The proposed building envelope has been shaped to minimise overshadowing of nearby residential buildings and public open spaces.

24. Overshadowing of neighbouring residential buildings has been assessed in accordance with the Apartment Design Guide (ADG) and the City's guidelines. The analysis confirms that the envelope can comply with the requirements to minimise overshadowing at 15- 29 and 31-41 Cornwallis Street ('2' on Figure 10), the terraces at 80–88 Rosehill Street ('3' on Figure 10) and 39–61 Gibbons Street ('4' on Figure 10).

25. As shown in Figure 8 above, the site-specific DCP includes setbacks that ensure adequate building separation. In particular, it requires a 6-metre setback from the centre line of Cornwallis Lane to provide suitable separation between the site and the residential apartments to the west. This separation supports privacy, reduces visual bulk and contributes to acceptable amenity outcomes for neighbouring residents.

26. Testing for 15–29 Cornwallis Street (under construction) is based on analysis of available floor plans and should be updated at DA stage in case the internal layouts change. Any localised impacts can be assessed at development application stage, and any necessary mitigation can be resolved through detailed design responses.

27. For the 39-61 Gibbons Street apartments, Figure 12 shows 2 notches to the envelope ('clipping plane subtractions'), indicated with red crosses, that were originally included to achieve compliance with the ADG and the City's guidelines. A later review identified a minor modelling error in the assumed ground-floor levels of the apartments - which confirmed these units do not currently receive the minimum 2 hours of solar access required by the ADG. Accordingly, the 2 red-marked clipping planes are no longer As required and do not form part of the proposed controls. Overshadowing impacts will be assessed further at the development application stage.

28. Overshadowing of public open spaces ('1' on Figure 10) has been assessed against the LEP sun access planes and the City's guidelines. The reference scheme includes a green-marked clipping plane subtraction, shown in Figure 11, which is retained to ensure no overshadowing of Daniel Dawson Reserve between 10am and 2pm, consistent with the sun access plane in the LEP. Minor overshadowing of Gibbons Street Reserve occurs between 1pm and 2pm and is limited to the narrowest and least functional part of the space, while the majority of the reserve continues to receive more than 4 hours of direct sunlight. Figure 12 illustrates the solar access outcomes for public open spaces.

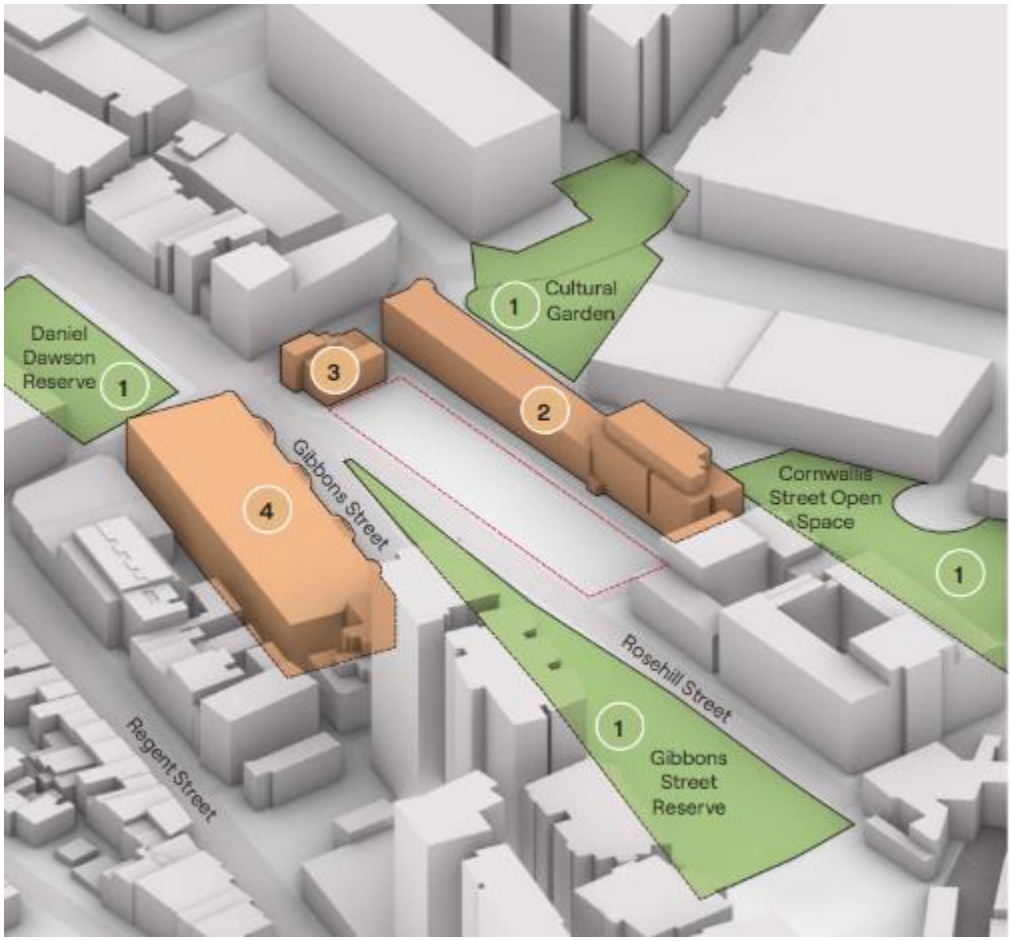

Figure 10: Surrounding buildings and open space tested for solar impact. Source: SJB Urban Design Report.

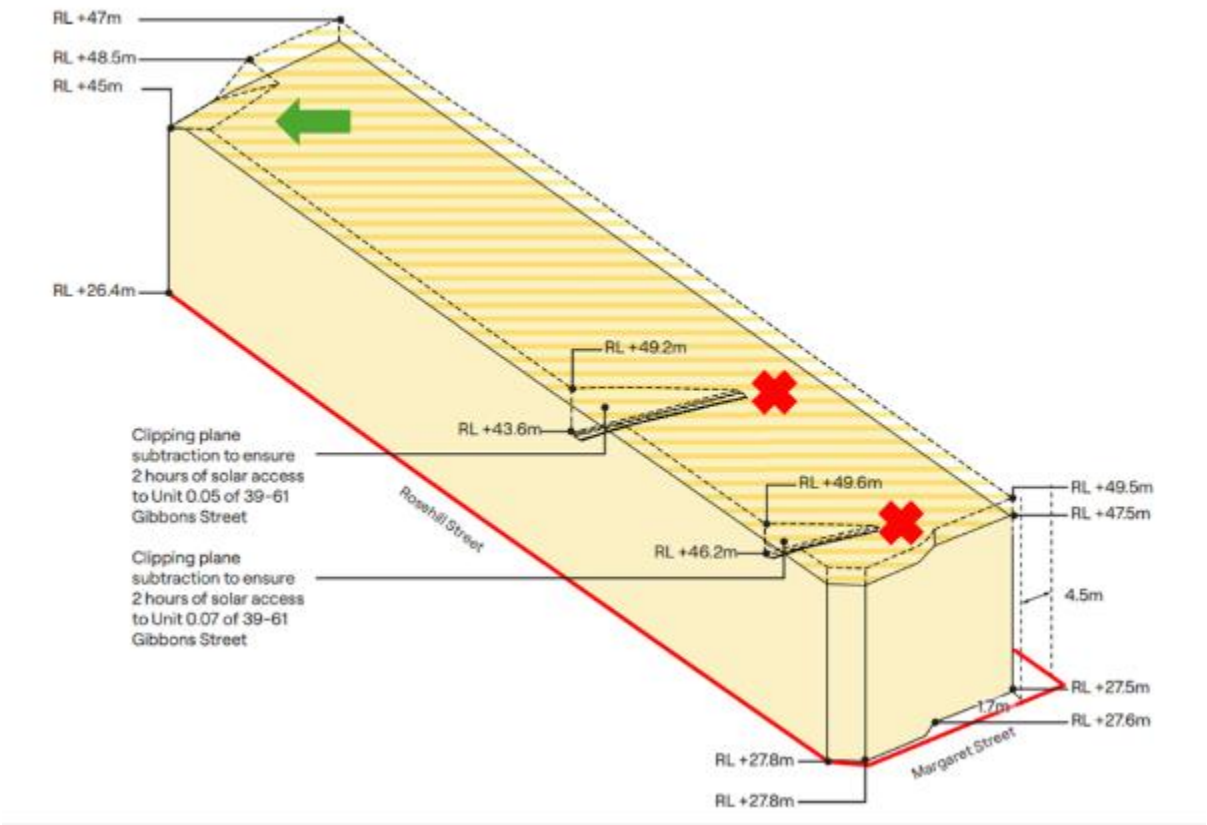

Figure 11: Proposed envelope with solar access clipping planes. Source: SJB Urban Design Report (red (no longer required) and green (required) indicators added).

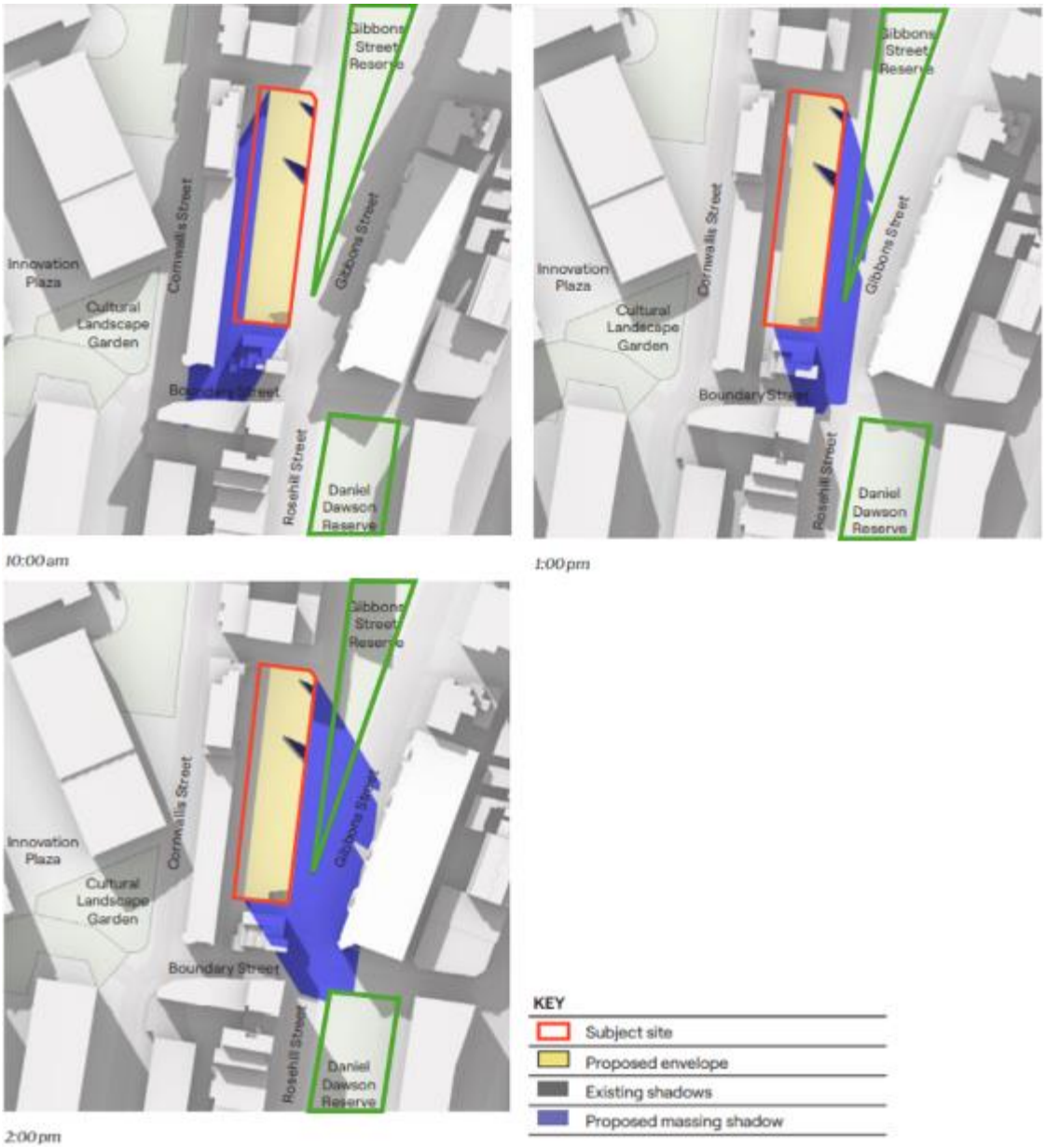

Figure 12: Shadow analysis to public open space. Source: SJB Urban Design Report (green outlines added).

29. The proposal will have minimal traffic impacts as no on-site car parking is provided, with any vehicle movements expected to be limited to taxis and rideshare services outside commuter peak periods. The reference scheme includes bicycle parking at a rate of one space per 5 rooms, with short-stay visitor parking at one space per 50 rooms, encouraging active transport for residents and visitors.

30. Waste and servicing arrangements have been designed to minimise impacts on the public domain and maintain activation along Rosehill Street. Consistent with the City's Guidelines for Waste Management in New Developments, the draft site-specific DCP requires a dedicated, enclosed waste storage room separate from the loading dock and bicycle parking areas, sized to accommodate the full bin volume generated by the development. Waste collection and servicing are to occur from Margaret Street, which provides a more functional location for a 10.6-metre Council waste vehicle to manoeuvre, subject to land dedication and road widening to be secured by the voluntary planning agreement. This approach keeps Rosehill Street free for active frontages and improves operational efficiency.

31. Further information on the urban design, heritage and environmental impacts of the planning proposal can be found in section 5.4 of the planning proposal.

A Voluntary Planning Agreement will deliver land for the widening of Margaret Street and contribute to affordable housing

32. The proponent has offered to enter into a Voluntary Planning Agreement (VPA) with Council to deliver public benefits as part of this planning proposal. The Environmental Planning and Assessment Act 1979 (the Act) allows the proponent to enter into a legally binding Voluntary Planning Agreement with Council. Voluntary Planning Agreements are voluntary and must be freely entered into by the public authority and a proponent. They are publicly exhibited and held on a publicly accessible register.

33. The letter of Offer from Kyanite Rosehill Landowner Pty Ltd, provided at Attachment D, outlines the public benefits. The City has accepted this letter of Offer. The Offer includes the dedication of land to enable the widening of Margaret Street and an affordable housing monetary contribution equal to 17% of the additional floor space generated by the planning proposal, which is consistent with the City's recently exhibited changes to the Affordable Housing Program. The widening of Margaret Street will provide a more suitable location for waste collection and servicing functions, reducing operational impacts on surrounding streets and improving access and manoeuvring for service vehicles.

34. This Offer does not offset local infrastructure contributions required under a contributions plan (section 7.11 of the Act) or housing and productivity contributions (division 7.1, subdivision 4 of the Act).

35. A draft VPA will be prepared and publicly exhibited with the planning proposal.

Planning Proposal is consistent with City's strategic vision

36. The City's Local Strategic Planning Statement, City Plan 2036, sets out the 20-year vision for land use planning in the City and the priorities and actions needed to achieve this vision. This planning proposal gives effect to the following priorities:

    (a) infrastructure - the proposal locates new co-living housing in an area with excellent access to existing and planned transport infrastructure, services and major education facilities.

    (b) liveability - the proposal contributes to a more diverse housing mix by providing purpose-built student accommodation close to universities and employment, supporting the City's objective to deliver new homes that meet the needs of different community groups.

37. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This plan is aligned with the following strategic directions and objectives:

    (a) Direction 5 - A city for walking, cycling and public transport - The proposal is well-located and walkable neighbourhood. It is also within 300-450m of Redfern station and Waterloo Metro station which will support the continued optimal use of existing and planned transport infrastructure.

    (b) Direction 6 - An equitable and inclusive city - The proposal will support diversity in the housing market and support the growing need for this form of accommodation in the city.

    (c) Direction 9 - A transformed and innovative economy - Co-living can be considered as a compatible land use to help meet housing demands while not compromising the long-term viability of other forms of commercial development. When market cycles again see high demand for income-producing space, potential reuse or conversion of the site to other uses is not constrained by individual strata owners.

    (d) Direction 10 - Housing for all - The proposal will support diverse housing options within the City.

38. Further information regarding the alignment with the strategic planning framework can be found in Section 5.3 of the Planning Proposal.

Risks

39. City staff have undertaken a thorough assessment of the planning proposal and found that it demonstrates strategic and site-specific merit in accordance with NSW Government guidelines. The planning proposal is consistent with City policies and strategies including City Plan 2036 and Sustainable Sydney 2030-2050 Continuing the Vision. Progressing the planning proposal is within the City's risk tolerance and appetite.

40. The planning proposal has demonstrated that development can be capable of complying with relevant environmental and planning laws, regulations and industry standards and is within the City's minimal appetite for non-compliance with environmental laws, regulations and industry standards.

41. Should Council and the Central Sydney Planning Committee endorse the attached planning proposal for public exhibition, it will be forwarded to the Department of Planning, Housing and Infrastructure in accordance with section 3.34 of the Act for Gateway Determination. Proceeding with the planning proposal will meet the City's minimal appetite for disruption to our regulatory functions as decisions will be within the timeframes set in the NSW Government's Statement of Expectations Order 2024.

Relevant Legislation

42. Environmental Planning and Assessment Act 1979.

43. Environmental Planning and Assessment Regulation 2021.

Critical Dates / Time Frames

44. Should Council and the Central Sydney Planning Committee endorse the attached planning proposal for public exhibition, it will be forwarded to the Department of Planning, Housing and Infrastructure in accordance with section 3.34 of the Act for Gateway Determination.

45. The Gateway Determination will provide the required date for the completion of the Local Environmental Plan amendment.

46. Following public exhibition, the outcomes will be reported back to Council and the Central Sydney Planning Committee.

Public Consultation

47. The public exhibition process for this planning proposal will be determined by the Department of Planning, Housing and Infrastructure. It is proposed that the public exhibition of the planning proposal, notification of the planning agreement, draft site-specific DCP and draft student accommodation DCP will run concurrently. Noting the draft student accommodation DCP has a broader application than the draft site-specific DCP, student housing providers that operate within the local area will be notified. The consultation will be in accordance with the requirements of:

    (a) the Gateway Determination issued by the Department of Planning, Housing and Infrastructure under section 3.34 of the Act;

    (b) the Environmental Planning and Assessment Regulation 2021;

    (c) in relation to the Planning Agreement, section 7.5(2) of the Act; and

    (d) the City of Sydney's Community Engagement Strategy and Participation Plan.

48. It is likely that the public exhibition period for the planning proposal would be a minimum of 20 working days.

GRAHAM JAHN AM

Chief Planner / Executive Director City Planning, Development and Transport

Angela Smidmore, Specialist Planner