

City of Sydney

PLANNING PROPOSAL

SYDNEY LOCAL ENVIRONMENTAL PLAN 2010

(GREEN SQUARE TOWN CENTRE) –

Sites 301-303 Botany Road, 501 Botany Road, 509 Botany Road, 3 Joynton Avenue, 511-515 Botany Road, 97-115 Portman Street, 811 Elizabeth Street, Zetland; 312-318 Botany Road, 320-322 Botany Road; 324 Botany Road, 318A Botany Road, 6-12 O’Riordan Street, and 2A Bourke Road, Alexandria

March 2012



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Introduction

This Planning Proposal explains the intent of, and justification for, the proposed *Sydney Local Environmental Plan 2010* (Green Square Town Centre) (the Town Centre LEP 2010), to replace the current *South Sydney Local Environmental Plan 1998* as it applies to specific sites within the Green Square Town Centre (the Town Centre). The Town Centre LEP 2010 is to be prepared in accordance with the requirements of the Standard Instrument (Local Environmental Plans) Order 2006. The sites this Planning Proposal applies to are identified in the section below.

This Planning Proposal does not apply to the three sites within the Town Centre for which Landcom and the Green Square Consortium, a joint venture of Mirvac Projects Pty Ltd and Leighton Properties Pty Ltd (Landcom/Mirvac/Leighton), have requested amendments to the planning controls. These sites, at 956-960 Bourke Street, 355 Botany Road and 377-497 Botany Road, Zetland, are subject to a separate Planning Proposal to create a new stand-alone LEP compliant with the Standard Instrument.

The Department of Planning and Infrastructure issued a Gateway Determination on 4 March 2011, which enabled the Planning Proposal to progress, with a timeframe for completing the LEP within 12 months.

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning and Infrastructure Guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.

The Planning Proposal addresses matters that are intended to be included in the Town Centre LEP 2010. More detailed planning matters will be guided by a Development Control Plan (DCP). The DCP will be prepared and implemented in accordance with Part 3 Division 6 of the EP&A Act.

Site Identification

This Planning Proposal is in relation to twelve sites within the area defined as the Green Square Town Centre under the *South Sydney Local Environmental Plan 1998*, which forms part of the Green Square Urban Renewal Area, in the City of Sydney Local Government Area, as detailed below and shown in Figure 1:

- | | |
|----------------------------------|--|
| • 301-303 Botany Road, Zetland | Lot 2 DP 1015633 |
| • 324 Botany Road Alexandria | Lot 4 DP 25272 |
| • 501 Botany Road Zetland | Lot 2 DP 505350 |
| • 509 Botany Road Zetland | Lot 11 DP 610938 |
| • 511-515 Botany Road Zetland | Lot 12 DP 610938 |
| • 97-115 Portman Street Zetland | Lot 1 DP 595708 |
| • 811 Elizabeth Street Zetland | Lot 1 DP 808432 |
| • 312-318 Botany Road Alexandria | Lot 1 DP456791, Lot 1 DP575225, Lot D DP81525 (Green Square Stn U/G) |
| • 318A Botany Road Alexandria | Lot X DP447410 |
| • 320-322 Botany Road Alexandria | Lot 3 DP 25272 |
| • 3 Joynton Avenue, Zetland | Lot 1 DP 136025 |
| • 6-12 O'Riordan Street | Lot 2 DP25272 |
| • 2A Bourke Road | Lot 5 DP39201 |



Figure 1: Site Plan of the Green Square Town Centre and the subject sites

Background

The Town Centre covers an area of 13.74 hectares. It is located within the Green Square Urban Renewal Area, approximately 4.5km south of Central Sydney and north of Sydney (Kingsford Smith) Airport. The entire Town Centre comprises fifteen lots, including several large sites owned by State and local public authorities. These include the former Waterloo Incinerator site (355 Botany Road) and former South Sydney Works Depot (956-960 Bourke Street), both owned by Landcom, Waverley Council's Works Depot (97-115 Portman Street), the NSW Police Service Centre (377-497 Botany Road), and the former South Sydney Hospital site (3 Joynton Avenue) owned by the City of Sydney, as shown in Figure 1. The Town Centre also contains the Green Square Railway Station and other privately owned land holdings.

The vision for the Town Centre is for a centre that provides retail, commercial and civic functions for Green Square and the southern areas of the City of Sydney. The City is committed to the realisation of this exciting new major centre. It is envisaged that it will set new benchmarks in public domain design and ecologically sustainable development. As a large scale urban renewal project, the City's vision for the Town Centre is that it will Demonstrate that cities can grow in ways that are "climate positive" and also economically and environmentally sustainable.

Current Planning Controls

The current planning controls for the Town Centre are:

- the specific provisions under *South Sydney Local Environmental Plan 1998 (Amendment No.17) – Green Square Town Centre* (the current Town Centre LEP); and
- *South Sydney Development Control Plan 1997: Urban Design – Precinct H: Green Square Town Centre* (the current Town Centre DCP).

These controls were approved by Council and the Central Sydney Planning Committee (CSPC) in April 2006, and the LEP was gazetted in December 2006. An amendment to the current Town Centre LEP, Amendment No.19, in respect of communal car parking below the plazas was approved by Council and the CSPC in mid 2008 and gazetted on 5 June 2009.

The Current Town Centre LEP

Under the current Town Centre LEP, the Town Centre is covered by the *Green Square Town Centre Zone 11(a)* and *Green Square Town Centre Public Domain Zone 11(b)*, as shown in Figure 2. Zone 11(b) applies to the roads, plazas and parks with Zone 11(a) applying to the 'development sites'.

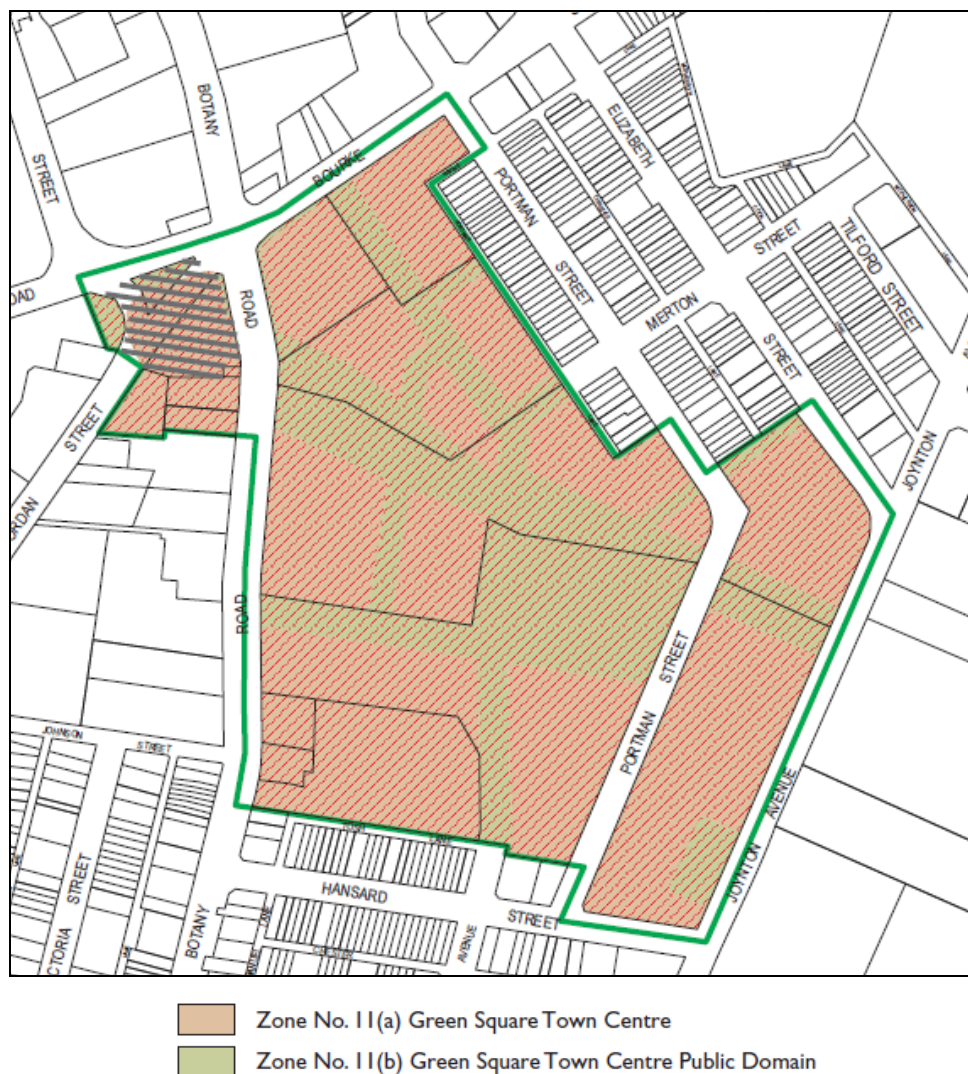


Figure 2: Land Use Zoning Map under the current Town Centre LEP

Figure 3 shows the 'development sites' that result from the above zoning controls, and for which the current Town Centre LEP allocates specific gross floor areas for commercial, retail and residential uses and defined in the LEP.

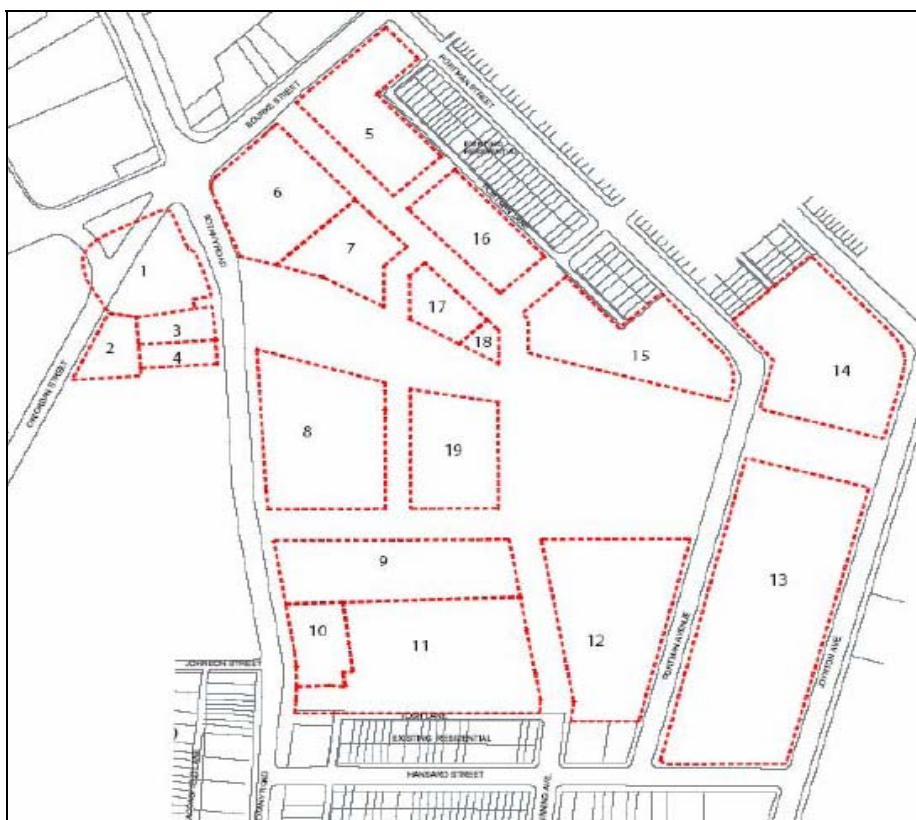


Figure 3: 'Development Sites'

Although gazetted, the current Town Centre LEP is a "deferred matter" under section 59(3) of the EP&A Act, and the provisions are "deferred" for all sites within the Town Centre. The Town Centre LEP provisions have no effect until such time as the land becomes "un-deferred". Thus, the operative zoning is Zone 4a Industrial General under the *City of Sydney Planning Scheme Ordinance 1971* for the majority of the Town Centre lands, and Special Uses 5(a) Hospital for the former South Sydney Hospital site and 4 General Industrial for 2A Bourke Street under the *South Sydney Local Environmental Plan 114*.

This 'deferral' tool is used to ensure delivery of the essential infrastructure to support the redevelopment. The trigger for un-deferring land is a commitment by the site owner/developer to contribute to the delivery of the essential infrastructure and land. This commitment is set out in a Planning Agreement offer made by the site owner/developer and negotiated with the City of Sydney.

The Town Centre DCP

The current Town Centre DCP provides more detailed provisions to support the primary planning controls set out in the LEP. It contains guiding principles and defines in detail the main structural elements that will realise the Town Centre vision. It focuses on key considerations for the design of buildings (for example, location of activities, building alignment, sun access) as well as the design of the public domain.

Similar to the current Town Centre LEP, the DCP is not operative until the specific land is “un-deferred”.

The Town Centre Infrastructure Strategy

The current LEP and DCP are complemented by the *Green Square Town Centre Infrastructure Strategy 2006* which identifies the essential infrastructure required to support development in the Town Centre.

This infrastructure is considered essential for achieving an appropriate level of public amenity, and to meet basic requirements for access, circulation and services. The Strategy also details how the cost is equitably shared between land owners/developers, and determines infrastructure contributions, either in money or works in kind, which are necessary to service the development of land in the Town Centre.

The Infrastructure Strategy establishes that land within the Town Centre can only be developed as set out in the current Town Centre LEP if the appropriate level of services and public domain can be provided, and Council is satisfied of this requirement. Thus the “un-deferral” of Town Centre land will only proceed for sites where the essential infrastructure requirement can be met by the landowner/developer. As mentioned above, a Planning Agreement between the City of Sydney and the landowner is the anticipated mechanism detailing on a site specific basis the appropriate contribution towards essential land and infrastructure.

Current Planning Proposals

This Planning Proposal is one of three separate Planning Proposals currently being progressed for lands within the Town Centre. The other two are described below.

Landcom/Mirvac/Leighton Planning Proposal

In May 2010 the City received a submission for a planning proposal from Landcom/Mirvac/Leighton for three sites in the Town Centre, 956-960 Bourke Street, 355 Botany Road and 377-497 Botany Road, Zetland. The submission requested an amendment to the LEP controls to vary the permissible gross floor area, land use mix, building heights and public domain layout.

Council, on 26 July 2010, and the CSPC, on 22 July 2010, resolved to forward the proposal as submitted by Landcom/Mirvac/Leighton to the Department of Planning and Infrastructure to seek a Gateway Determination to place it on public exhibition. The Gateway Determination was issued on 16 September 2010 with instructions for the City of Sydney to translate the Landcom/Mirvac/Leighton proposal into a stand-alone LEP in a format that is compliant with the Standard Instrument.

Council, on 15 November 2010, and the CSPC, on 11 November 2010, endorsed the Planning Proposal for public exhibition to give the community the opportunity to comment on the amendments proposed by Landcom/Mirvac/Leighton. The Planning Proposal (and supporting documentation) for the three sites was exhibited from 20 November to 20 December 2010. Council, on 25 July 2011, and the CSPC, on 21 July 2011, considered the outcomes of the exhibition and resolved the revised Planning Proposal (as amended after exhibition) be re-exhibited for 14 days, to enable the local community, stakeholders and landowner the opportunity to review the proposed changes. The revised Planning Proposal was re-exhibited from 16 September until 3 October 2011.

The final Planning Proposal was approved by Council on 5 December and the CSPC on 1 December 2011. A voluntary Planning Agreement is being negotiated between the City and the landowners in respect of the provision of essential infrastructure and other public benefits. Once the agreement is executed, the City will forward the Planning Proposal to the Department of Planning and Infrastructure for the LEP to be made.

Planning Proposal for 301 Botany Road, Zetland (John Newell Pty Ltd site)

The Planning Proposal for this site was considered by Council on 13 September and the CSPC on 9 September 2010 for submitting to the Department of Planning and Infrastructure for a Gateway Determination. The Planning Proposal seeks to amend the current Town Centre LEP to change the land use mix from 27.8% commercial and 72.2% residential to 87.3% residential and 12.7% retail. No change to the permissible gross floor area or building heights is proposed.

A Gateway Determination was issued on 20 October 2010 and the Planning Proposal was exhibited from the 6 December to 20 December 2010. Council, on 25 July 2011, and the CSPC on 21 July 2011 approved the Planning Proposal, which is now with the Department of Planning and Infrastructure for the LEP amendment to be made.

Given that, because of its minor nature, the Planning Proposal for 301 Botany Road, Zetland is being progressed as an amendment to the current Town Centre LEP, rather than as a stand-alone new LEP, the subject Planning Proposal that applies to the remainder of the Town Centre sites also covers this site. This is to ensure that at the completion of the process of review of the planning controls, all sites within the Town Centre are covered under a new stand-alone LEP that is compliant with the Standard Instrument; consequently allowing the easy integration of the Town Centre planning controls with Draft *Sydney Local Environmental Plan 2011* to apply to the entire City of Sydney Local Government Area, with a few exceptions.

Integration of the current Planning Proposals

Although there are three separate Planning Proposals being progressed for sites within the Town Centre, it is important that a holistic approach in reviewing the entire package of planning controls, the current LEP, DCP and Infrastructure Strategy. The development and refinement of these three proposals need to inform one another to ensure their implications are appropriately addressed and that an integrated and coordinated set of documents are produced that can easily be consolidated into one at a later stage.

This Planning Proposal therefore considers all the Town Centre sites, including the Landcom/Mirvac/Leighton sites to ensure the proposed LEP provisions put forward in this Planning Proposal complement those being considered for the Landcom/Mirvac/Leighton Planning Proposal and is informed by the City's review of the Landcom/Mirvac/Leighton Planning Proposal.

In conjunction with the development of this Planning Proposal, the current Town Centre DCP is being reviewed. The DCP will be a standalone single document, informed by the three Planning Proposals, and will ensure that appropriate detailed provisions for built form, land use and public domain design and layout are in place as the current Town Centre LEP is amended by the three Planning Proposals.

In respect of the *Green Square Town Centre Infrastructure Strategy 2006*, Council in May 2011 considered the updated costs of the essential infrastructure. The cost and landowner contributions are to be updated quarterly in accordance with the Consumer Price Index, to more accurately reflect the costs for the delivery of infrastructure in the Town Centre.

The primary purpose of the overall review of the Town Centre planning controls is to produce:

- (a) a more flexible regulatory framework that can respond to market demand and that is compliant with Standard Instrument requirements;
- (b) a land use, built form and public domain framework that reflects good urban design and sustainability principles; and
- (c) a scheme that generates the catalyst for the creation of new jobs, services and dwellings serviced by the appropriate infrastructure and a high level of public transport accessibility.

The review and integrated consideration of the Planning Proposals is informed by several studies, projects and strategies or relevance to the Town Centre the City has undertaken, either on its own or in partnership with the State Government, since the current Town Centre planning controls were approved by Council and the CSPC in 2006. These include:

- (a) *Sustainable Sydney 2030*;
- (b) *Green Square and Southern Areas Retail Study* (2008);
- (c) *Green Square Transport Management and Accessibility Plan* (2008) (TMAP);
- (d) Town Centre Infrastructure and Public Domain Development Applications approved by Council in 2008, and supporting technical studies; and
- (e) the work undertaken in preparation of the City-wide *Draft Sydney Local Environmental Plan 2011* and *Draft Sydney Development Control Plan 2010*, publicly exhibited early in 2011.

These are discussed further in the next section of this Planning Proposal.

The Planning Proposal

Council, on 26 July 2010, resolved the following (amongst other things):

“...

- (A) *commence the process to prepare Sydney Local Environmental Plan 2010 – Green Square Town Centre, which will be a stand-alone, site-specific local environmental plan prepared in accordance with the Standard Instrument (Local Environmental Plans) Order 2006;*
- (B) *commence the process to review and amend the supporting planning controls for the Green Square Town Centre, the South Sydney Development Control Plan 1997: Urban Design – Precinct H: Green Square Town Centre and Green Square Town Centre Infrastructure Strategy;*

- (C) forward to the Minister for Planning the Planning Proposal for the whole Green Square Town Centre, as shown at Attachment A to Item 2 of the Planning and Development Committee on 19 July 2010, in accordance with section 56(1) of the Environmental Planning and Assessment Act 1979;...

The CSPC, on 22 July 2010, also resolved to:

“ ...

- (A) commence the process to prepare Sydney Local environmental Plan 2010 – Green Square Town Centre, which will be a stand-alone, site-specific local environmental plan prepared in accordance with the Standard Instrument (Local Environmental Plans) Order 2006, and repeal the applicable provisions of the South Sydney Local Environmental Plan 1998 accordingly;
- (B) note the recommendation to Council’s Planning Development and Transport Committee on 19 July 2010 that Council commence the process to review and amend the supporting planning controls for the Green Square Town Centre, the South Sydney Development Control Plan 1997: Urban Design - Precinct H: Green Square Town Centre and Green Square Town Centre Infrastructure Strategy; and
- (C) note the recommendation to Council’s Planning Development and Transport Committee on 19 July 2010 that Council forward to the Minister for Planning a Planning Proposal for the Green Square Town Centre in accordance with section 56(1) of the Environmental Planning and Assessment Act 1979;....

The City of Sydney submitted the Planning Proposal to the Department of Planning and Infrastructure on 12 August 2010, for a Gateway Determination to be issued. The Department advised on 16 December 2010 that additional information is required on the proposed planning controls to progress the Planning Proposal towards a Gateway Determination.

The original Planning Proposal endorsed by Council and the CSPC in July 2010 has therefore been expanded to include additional information on the proposed LEP provisions and describes in detail the work the City has undertaken to inform these provisions.

This Planning Proposal also takes into consideration and integrates the proposed amendments put forward in the two separate Planning Proposals described above being progressed for other sites within the Town Centre: for the Landcom and the Green Square Consortium lands; and for the site at 301 Botany Road. In summary, this Planning Proposal seeks to amend the current planning controls for the subject sites, herewith referred to as the residual sites, to reflect the following proposed changes:

- the public domain zone layout;
- the ‘development site’ areas and boundaries;
- an increase in development gross floor area for some sites;
- a change in the land use mix and zoning controls; and
- variations to the building heights.

The details of these proposed changes are discussed in detail below.

Public Domain Layout

Roads

The Town Centre Public Domain Zone 11(b) in the current Town Centre LEP establishes the street network pattern and the layout of the plazas. It is detailed in the Town Centre DCP. The street pattern seeks to provide a coherent structure that complements the fine grain of existing streets adjacent to the Town Centre.

In November 2008 Council approved two development applications for the Town Centre for:

- essential infrastructure works related to the construction of new roads and footpaths, and the provision of services such as stormwater, sewer, power and telecommunications; and
- the public domain concept design plans and details for the general layout of spaces, paving and other ground cover, planting, water features and open space.

This Planning Proposal seeks to change the public domain layout under the current Town Centre LEP and DCP to create a finer grain pattern of street blocks and therefore increase permeability and connectivity throughout. The proposed street network seeks to align with that proposed for the Landcom/Mirvac/Leighton lands. This includes the upgrading of an east-west through-site-link identified in the current Town Centre DCP to a road, which now extends across Dunning Avenue to Portman Street. A new north-south street (proposed to be named 'Hinchcliffe Street') parallel to Botany Road is also proposed which connects through the Landcom and Green Square Consortium lands to the public plazas. The changes to the public domain layout compared to the current Town Centre LEP and DCP are shown in Figure 4.



Current LEP and DCP public domain layout

Proposed public domain layout

Figure 4: Comparison of the proposed public domain layout against the current Town Centre LEP and DCP

The above changes are not in accordance with the Land Use Zoning Map shown at Figure 2, which dictates the 'development sites' and public domain layout. This Planning Proposal seeks to reflect the proposed layout in a form that is compliant with the Standard Instrument, with detailed requirements to be included in the updated Town Centre DCP.

These changes to the 'development site' boundaries, and the increase in the number of 'development sites' formed by the proposed roads also have implications for the gross floor area and building height controls which relate to the new 'development sites'.

Figure 5 shows the public domain layout and the proposed streets, plazas and parks names. It is noted the proposed names are part of a wider urban renewal areas naming project the City is undertaking. The names in the Town Centre make reference to the history of the area. They are only indicative at this stage and are yet to be approved by Council.

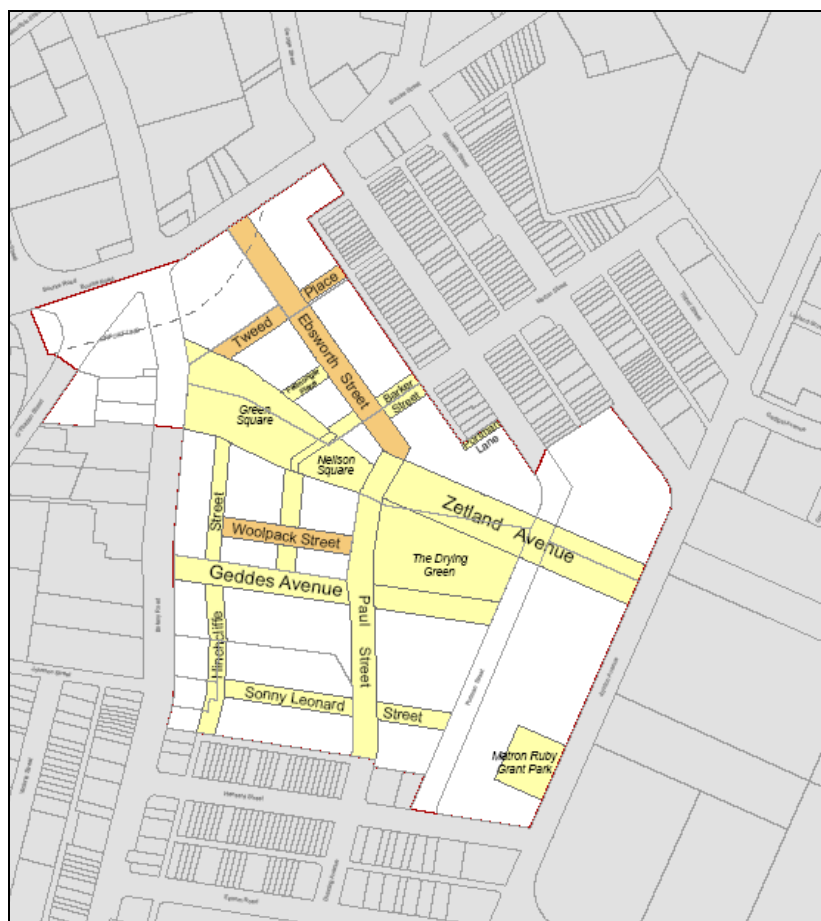


Figure 5: Public domain layout and the proposed names

The Drying Green (previously referred to as Shea's Park)

The Town Centre sites covered by this Planning Proposal will include a large new park, which is proposed to be called 'The Drying Green', named after the former wool washing industry and the drying which took place in this location due its close proximity to water from the Waterloo Dam. The park is, bounded by the new Zetland Avenue, Geddes Avenue, Portman Street and Ebsworth Street. 'The Drying Green' park will be approximately 5 600sqm and is currently contained within the Waverley Council Depot site.

The Development Applications for the Town Centre infrastructure and public domain approved by Council in 2008 included civil infrastructure details and the conceptual scheme for the public domain, developed with significant community input during 2007/2008. The park has been design to have predominantly soft landscaping finishes, utilising a native planting theme and integrating with the stormwater drainage and flood management systems for the Town Centre. The park will also include a formal water feature, creating a themed and visual link to the plaza areas.

Built Form

In reviewing the current Town Centre LEP, the City has undertaken a detailed urban design analysis and developed a series of urban design principles which have informed the development of the LEP and DCP controls. The principles, included at Attachment A, inform the built form provisions proposed, including building envelopes, height of buildings, gross floor area (GFA) and resulting floor space ratios.

This Planning Proposal seeks to amend the gross floor area for some of the residual sites permissible under the current Town Centre LEP. The gross floor area and land use make up of each 'development site' will effectively change as a result of the new street layout and building envelopes proposed. A comparison between the current Town Centre LEP and proposed GFA for the residual sites is shown in Table 1. In addition to the maximum GFA identified in Table 1, it is also proposed to allow a 10% increase in floor space ratio through the application of Design Excellence provisions in the proposed LEP. This approach is

similar to the additional 10% potentially achievable in the current Town Centre LEP. The impact of this potential additional floorspace has been examined and it is considered it can be accommodated in all the residual sites without impacting on the amenity of the surrounding areas. It is reflected in the proposed building heights (Figure 7) which show the maximum heights when applying the 10% additional floorspace. Explanation of this provision is provided in Part 2 of this Planning Proposal and details in Appendix B.

OWNER	ADDRESS	LOT AREA (sqm)	CURRENT LEP FSR	CURRENT LEP GFA (sqm)	PROPOSED FSR	PROPOSED GFA (sqm)	MAX FSR WITH DES EXC	MAX GFA WITH DES EXC (sqm)
John Newell Pty Ltd	301-303 Botany Rd	5469	6.55	35800	6.55	35,822	7.205	39,404
Homabros international Pty Ltd	320-322 Botany Rd	1062	5.56	5900	5.56	5,905	5.94	6,308
Toga Development Pty Ltd	324 Botany Rd	835	6.35	5300	6.35	5,302	6.61	5,524
William Beard Pty Ltd	6-12 O'Riordan St	1378	11.54	15900	11.54	15,902	11.90	16,402
Senayear Pty Ltd	501 & 509 Botany Rd 509 Botany Rd	1220 845	3.49	7200	3.64	7517	4.00	8,269
Hatbands Pty Ltd	511-515 Botany Rd	9951	2.12	21100	2.16	21,494	2.38	23,683
AMHA Properties Pty Ltd	811 Elizabeth St	9771	2.25	22000	2.31	22,571	2.55	24,873
RTA	Public Road 312-328 Botany Rd 312-328 Botany Rd 312-328 Botany Rd Public Road	619 525 424 1695 2287	7.51	41700	7.64	42,402	8.40	46,633
City of Sydney	3 Joynton Ave	18780	1.86	35000	1.86	34,931	2.05	38,468
Waverly Council	97-115 Portman St	33100	1.78	59000	1.81	59,911	2.00	66,042
Energy Australia	318A Botany Rd	81						
Total		88,738	2.80	248,900	2.84	251,757	3.06	272,024

Table 1: Breakdown of current Town Centre LEP and proposed gross floor area (GFA)

Note: The current and proposed FSR and GFA calculations do not include the potential for additional floorspace for design excellence.

Figures 5 and 6 provide a three-dimensional comparison between building envelopes for the residual sites under the current Town Centre LEP and this Planning Proposal. The diagrams also show the building envelopes in the Planning Proposal for the Landcom/Mirvac/Leighton sites that were approved by Council and the CSPC in December 2011.

As shown in Figures 5 and 6, increases to some building heights are proposed to accommodate the additional GFA.

The translation of these proposed building envelopes into Standard Instrument compliant LEP controls is shown at Appendix C in the LEP maps for 'Height of Buildings' and 'Floor Space Ratio'.



Figure 6: Building heights in storeys permitted under the current Town Centre LEP (built form within the Landcom/Mirvac/Leighton sites is shown dark grey)

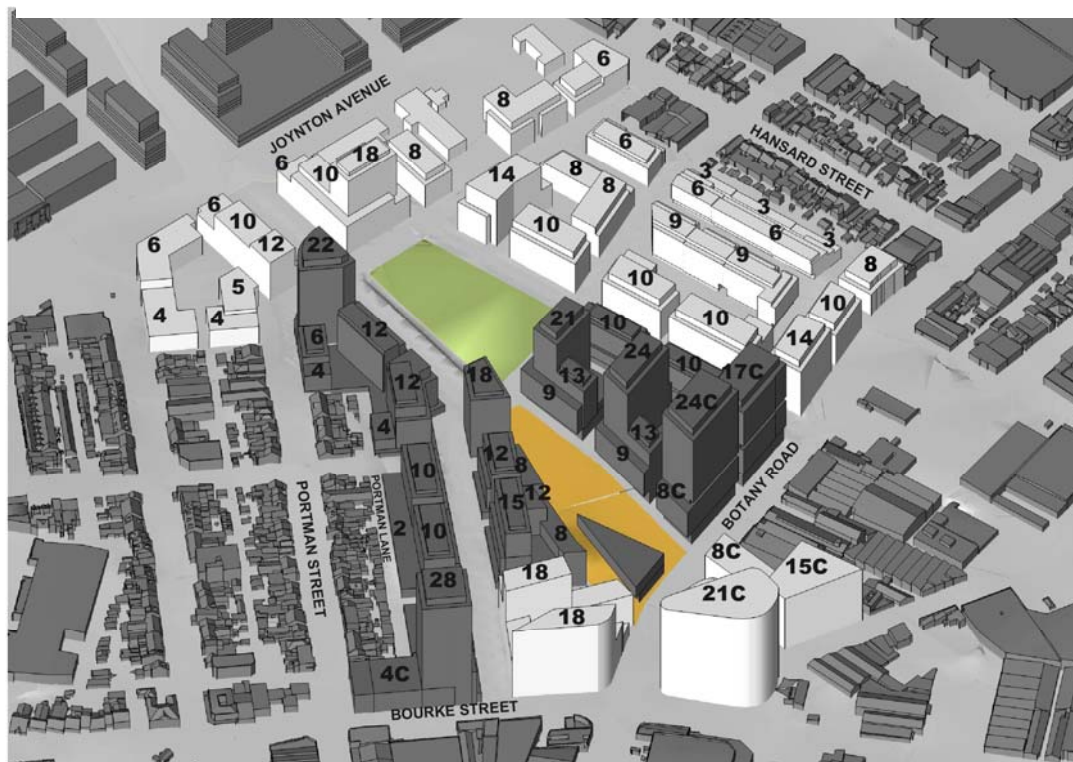


Figure 7: Maximum building heights in storeys proposed for the residual sites (heights include provision for additional floorspace for design excellence)

Land Use

The current Town Centre LEP controls provide for a mix of uses on all 'development sites', with the exception of Development Site 15 within the Landcom/Mirvac/Leighton lands (sites 956-960 Bourke Street, 355 Botany Road and 377-497 Botany Road, Zetland), which is purely residential, and Development Sites 2 and 4 to the south of the Green Square Railway Station, which are purely commercial. Figure 3 shows the current 'development sites'

The Planning Proposal for the Landcom/Mirvac/Leighton sites includes retail uses fronting the plazas with Ebsworth Street north of the plazas becoming a retail 'high street'. Three main commercial buildings are also proposed on these sites, one fronting Green Square plaza to the north, and two aligned along Botany Road, south of Green Square plaza. Residential floorspace is proposed to be accommodated throughout the other buildings of these sites.

This Planning Proposal seeks to introduce greater flexibility in the mix of uses throughout the residual sites within the parameters set by the land use zones under the Standard Instrument LEP. The zones are required to apply to existing allotment boundaries, rather than 'development sites'. Specific details in respect of the location of uses within the created 'development sites' will be contained in the DCP.

It is proposed to zone the sites east of Botany Road Zone B4 Mixed Uses. The B4 Zone will allow for all the uses anticipated on these sites under the current controls. It is envisaged predominantly residential uses will be provided, with the exception of 301 Botany Road, which is planned to include 5,000sqm of retail floorspace and has frontage to 'Green Square' plaza.

A draft Zoning Map is shown at Appendix 3.

The sites to the west of Botany Road (and south of the Green Square Railway Station) are proposed for commercial uses. Office development on these sites will take advantage of their proximity to the station and high-visibility. Residential development is not supportable in this location because of busy adjacent roads. To achieve these objectives, it is proposed to zone sites west of Botany Road Zone B3 Commercial Core. This zone will not permit residential development, but will allow for a range of commercial and retail uses and hotel accommodation.

The draft DCP will provide more details about the required land use mix of each 'development site'. This approach will allow greater development flexibility than it is permissible under the land use mix provisions contained in the current Town Centre LEP, and thus being able to accommodate trends, needs and demand for particular uses over the long timeframe it is anticipated will take the Town Centre to evolve. The approach will seek to set the following land use outcomes:

- defining the appropriate location for major retail development, in proximity to other services and facilities and key public domain frontage;
- locating residential uses at the interface between the Town Centre and existing residential neighbourhoods;
- using non-residential uses to buffer more sensitive uses from the impacts of busy roads;
- ensuring commercial uses are developed on sites where larger building footprints are supportable; and
- ensuring the Town Centre contributes sufficiently to the City's residential and employment targets as established by the Metropolitan Plan.

Transport, Traffic and Parking

The Town Centre is pivotal to the Integrated Inner City Transport Network envisaged for the southern areas of the City, providing the opportunity for an important public transport hub. The development of the Landcom/Mirvac/Leighton sites at 956-960 Bourke Street, 355 Botany Road and 377-497 Botany Road, Zetland will be a crucial catalyst for delivering a key aspect of this transport network, with the termination of a transport corridor and future light rail line adjacent to Green Square Railway Station. The residual sites will also play an important role in connecting the Town Centre to the surrounding residential areas by Zetland Avenue. The Town Centre has a strategic advantage in achieving the integration of transport and high density development, centred on the railway station and regional bus routes. This location means the residual sites are not reliant upon the delivery of this infrastructure in the phasing of development. They are able to develop independently.

The Planning Proposal safeguards a component of the lands required in the Town Centre for the public transport corridor, which connects from the Green Square Railway Station, through the residential precincts in the eastern sectors of Green Square such as 'Victoria Park' and 'Crown Square' into Central Sydney and beyond. This will provide a priority corridor for transport to improve travel times for journeys into Central Sydney and better connections to cross-regional services and other modes.

The issues and opportunities relating to transport including traffic and vehicular access as well as pedestrian, bicycle and public transport access are being detailed in the findings of the specific studies discussed below. In progressing this Planning Proposal, the City will assess the potential impact of the additional traffic generation resulting from the proposed relatively minor increase in gross floor area for the residual sites in terms of parking and transport provision (the proposed increases are shown in Table 1). This includes the impact of any proposed changes to the street network, and the outcomes from both the 2008 TMAP and an update, the TMAP2, which is currently underway.

The Green Square Transport Management and Accessibility Plan

The TMAP was developed by Transport for NSW in conjunction with the Roads and Maritime Services, Landcom and the City of Sydney, and was adopted by Council in March 2009. The purpose of the TMAP is to identify measures to improve the accessibility of Green Square by sustainable modes such as walking, cycling and public transport. It also identifies measures to reduce the demand for private vehicle travel as the foundation for achieving mode share targets adopted in *Sustainable Sydney 2030*.

The key findings of the TMAP are:

- (a) a "business as usual" scenario for growth in the area would be incompatible with the vision for Green Square, described in *Sustainable Sydney 2030*, as a sustainable and liveable activity hub;
- (b) that the vision for Green Square is best achieved by adopting a scenario of "no net increase in car traffic" for the renewal area, supported by a comprehensive transport strategy that includes:
 - (i) managing car parking supply to constrain traffic growth;
 - (ii) developing key transit corridors that are to adapt to demand growth;
 - (iii) prioritising cycle and walking trips; and
 - (iv) implementing travel demand management measures to new residents and businesses; and
- (c) the majority of increased travel demand in the future will arise from the strong growth in resident population most of which will occur outside the Town Centre in other areas of the Green Square Urban Renewal Area.

Specific resolutions that emerged from the consideration of the TMAP by Council included:

- (a) the endorsement, in principle, of the package of measures to ensure a "no car growth" scenario;
- (b) a call on the State Government to immediately commence work on developing the Green Loop transit service; and
- (c) a call on the State Government to abolish the Green Square Railway Station access levy.

The removal of the station access fee is critical for the successful activation and development of Green Square, as the community advises this is a disincentive for using heavy rail and is directly contradictory with the objectives of the TMAP. The City continues to seek the removal of this fee to improve access for residents and workers in Green Square.

The TMAP 'Business as Usual' forecast indicates that without policy intervention, total private vehicle trips to and from Green Square would increase significantly. Accordingly the TMAP recommends a comprehensive package of transport and integrated planning measures that support a 'No Car Growth' scenario, in particular, facilitating key public transport corridors that can accommodate higher forms of transit and the needs of all transport users over time.

The future development of the Town Centre supports principles of integrated land use and transport, consistent with *Sustainable Sydney 2030* and the State Government's jobs and dwelling targets. A review of the Town Centre planning controls, and the proposed changes in land use and development capacity that result from the review and Planning Proposals, is being informed by consideration of the TMAP outcomes, in particular to ensure the "no car growth" scenario is still achievable.

Led by the Transport for NSW, the update of the 2008 TMAP, TMAP2 is underway. It has a focus on the 'Eastern Transit Corridor', with the update including a full cost-benefit analysis of new bus routes and priority measures, the opportunities for the extension of bus/light rail networks southbound and an update on the level of mode share expected as a result of development. This study will take into consideration significant developments (both underway and masterplanned) within nearby Redfern, Waterloo, Mascot and within the Green Square Urban Renewal Area.

Botany Road Action Plan Study

Botany Road functions as a regional route connecting to the Airport and Port Botany, and dissects the Town Centre. It will play an increasingly important role, particularly as a public transport corridor, as development in the Town Centre occurs.

The study examines the current efficiency of Botany Road and its function as a freight corridor and known conflicts, including its function as a residential village and a major public transport thoroughfare. The imminent expansion of both Sydney Airport and Port Botany must be taken into consideration as they may threaten the viability of this corridor should action not be taken to manage it correctly. Urban amenity is also highly important, particularly around the Town Centre, and the action plan recommendations will seek to achieve integration across transport modes, including improvements to pedestrian and cycling safety and connectivity, and correct management of car parking. Specific considerations to improve the effectiveness of the road have been identified, including where the bus priority works are required and the preferred re-configuration of the five-way intersection at Green Square Railway Station.

A key outcome will be to determine key priorities for the future planning of the corridor, as well as intervention measures and a funding strategy. The City awaits the completion of the study being managed by Transport for NSW.

Additional Studies

A high level strategic study of the triangle shaped area between the City/Airport and Port Botany by Transport for NSW is also to commence. The purpose of this study will examine the major land use development on the transport network and develop better-informed solutions for the area.

With funding from the Department of Planning and Infrastructure, the City will also conduct a study to identify measures to manage the future traffic generation from development in the Town Centre and potential impacts from parking on surrounding streets within the immediate locality. The traffic management measures will be implemented as development occurs.

Parking

The TMAP states that the current parking rates in the *South Sydney Development Control Plan No. 11 – Transport Guidelines for Development 1996* (DCP 11) should be reviewed with the aim of reducing further private vehicle use in the area, though this must be in conjunction with the provision of increased transit services and patronage to Green Square Railway Station. The plan also states that parking controls can only be tightened in line with a substantial increase in public transport frequency and patronage. The City is advocating that strategies to improve the provision of public transport improvements, such as the 'Eastern Transit Corridor' and a potential new Metro Rail service connecting to the Town Centre are provided to serve the Town Centre. Parking controls include time-limiting on-street parking to encourage healthy client turnover for businesses and discourage private car use.

The TMAP states that whilst adopting lower parking rates than those in DCP 11 would support the "No Car Growth" mode share targets, it would not be realistic to impose such tighter restrictions without delivery of major improvements in transit along the key regional transport corridors.

The figures below details the comparison of parking spaces required for the residual sites using the current DCP 11 rates and the rates proposed in the Draft *Sydney Local Environmental Plan 2011*, which was publicly exhibited from 2 February to 21 April 2011.

DCP 11	Sydney LEP 2011
3 095	1 953

The above figures are based on an assumed land use mix of approximately 38% commercial and 62% residential within the residual sites.

The Draft *Sydney Local Environmental Plan 2011* parking controls allow a maximum level of car parking spaces dependant on proposed use, GFA and accessibility category. Using the work undertaken to map accessibility across the City of Sydney, these parking rate figures assume that the Town Centre, including the residual sites, has a 'medium' level of accessibility in both the 'Land Use and Transport Integration' (LUTI) and 'Public Transport Accessibility Level' (PTAL) categories (categories B and E respectively).

It is considered parking controls can only be tightened in line with a substantial increase in public transport frequency. Until the initiatives identified in the TMAP (and the other studies discussed above) and the support of State Agencies for improved public transport have been realised, applying the lower rates proposed in the Draft *Sydney Local Environmental Plan 2011* may be premature, and may need to be implemented in stages, as development proceeds and public transport accessibility increases.

Affordable Housing

The planning controls for the Town Centre will continue to include provision for affordable housing contributions in accordance with the *Green Square Affordable Housing Scheme* that requires contribution, either monetary or dedication of 3% of the total residential floor space and 1% of non-residential floorspace for affordable rental housing.

At present the Planning Proposal for the Landcom/Mirvac/Leighton sites does not provide additional affordable rental housing above the contribution rate required under this Scheme. Landcom/Mirvac/Leighton recognise that housing affordability is a major issue in the City of Sydney and that at Green Square the gap between local housing prices and the usual benchmarks for affordability are potentially large. As affordable housing plays an important role in establishing a socially diverse and sustainable community in the Town Centre, Landcom/Mirvac/Leighton have committed to investigate strategies to significantly widen the range of households and income groups who could be attracted to living in the area. In addition to contributing to the Green Square Affordable Housing scheme Landcom/Mirvac/Leighton have committed to the promotion of a socially diverse community within Green Square, specifically through offering diversity in accommodation.

The City has identified the provision of additional affordable rental housing as one of the community benefit priorities to negotiate with Landcom/Mirvac/Leighton to achieve the *Sustainable Sydney 2030* target of 10% in the Town Centre. The City has identified dedication of land as a mechanism to achieve the target, given land availability is a critical issue being faced by City West Housing, the 'registered' affordable housing provider under the scheme, to deliver rental housing units.

The outcomes of these negotiations will inform the approach for the whole of the Town Centre.

Community

There are numerous community benefits the development of the Town Centre can offer. The Town Centre sites are currently zoned for industrial uses in most part (except the former South Sydney Hospital site which is zoned for special uses), and include various industrial developments, and vacant sites. The Planning Proposal will facilitate the development of a major residential, commercial and retail centre to service the substantial residential and worker population in Green Square and the wider southern Sydney area. This includes substantial public domain in the form of public plazas, two parks, and a network of new streets with cycle and pedestrian routes providing access across the area and to the Green Square Railway Station.

The City is committed to the provision of social infrastructure, including community facilities, as an integral and essential component of the planning and implementation of the renewal of Green Square. The City's vision for community facilities in Green Square includes the timely provision of multipurpose facilities that are accessible, equitable, sustainable, vibrant, safe, inclusive of all people and integrated within a network of social infrastructure that is flexible and adaptable to the needs of Green Square communities.

The City currently provides a community venue in the Town Centre, the Green Square Community Facility on Joynton Ave, located in the former South Sydney Hospital site. The venue is used by groups and individuals for a range of programs, activities and small and large meetings. A new community library link and a customer service centre has also been operational since December 2010 in the Green Square Community Centre, 'Tote Building', on Joynton Avenue, Zetland within Victoria Park.

Two major facilities are planned for Green Square:

- (a) a multipurpose library, cultural and community centre in the Green Square Town Centre, fronting 'Green Square' plaza and Botany Road; and
- (b) a Health and Recreation Centre including aquatic facilities, as part of the 'Epsom Park Precinct', on Joynton Avenue, opposite the former South Sydney Hospital site.

A conceptual design framework for the facilities within the Town Centre was developed for the public domain Developed Application approved by Council in 2008. The detailed design is to be undertaken by the City. The new LEP provisions will therefore require sufficient flexibility to enable the future facilities to be accommodated.

Stormwater and Flood Risk Management

Under existing conditions a significant portion of the Town Centre is subject to flooding in large storm events, with flood depths and flow velocities that are hazardous and could be a risk to personal safety. Flood risk was identified by the City at an early stage in this project and appropriate provisions for flood risk management are contained in the current Town Centre LEP and DCP. A number of studies over time have been undertaken to ensure that flood risk is minimised and managed throughout the Town Centre.

The development application approved by Council for the essential infrastructure and the public domain in November 2008 addresses the flood risk management requirements in the current planning controls. The proposed infrastructure layout utilises a combination of culverts and cross-site overland flow paths. The future built form layout will require to be assessed for the 1 in 100 year storm event and compliance with the requirements of the NSW Government's *Flood Development Manual 2005*, and the Town Centre Flood Study, and Flood Risk Management Study and Plan prepared in accordance with the Manual for the purpose of the infrastructure development applications, and to be updated from time to time.

Future development applications will be required to demonstrate the risk of flooding is minimised and that they comply with the required drainage infrastructure and overland flowpaths. Relevant provisions are proposed for the LEP as contained in Appendix B.

Contamination

The Town Centre area has historically been used for industrial and commercial uses, including, for example, a former brick quarry, which occupied a significant proportion of the development area, and was subsequently backfilled with coal, tar, ash, slag and general refuse between 1930 and 1950.

Preliminary site investigations were undertaken for the Town Centre in developing the current Town Centre LEP and DCP controls as required by State Government policy. Detailed site assessment will be required to be undertaken by independent experts engaged by individual landowners/developers to support future development. The appropriate level of investigation and remediation will depend upon the circumstance of each site. The stages required may include detailed investigation, Remedial Action Plan and Validation and Monitoring.

Infrastructure Funding

Increasing floor space in the Town Centre will have implications for the *Green Square Town Centre Infrastructure Strategy 2006*. The strategy establishes the mechanism for provision and funding for essential infrastructure based on the floor space and land use allocated to the 'development sites'. The prescriptive nature of the current Town Centre LEP land use and gross floor area controls ensure that the overall funding strategy for the essential infrastructure is maintained and can be achieved.

An increase in GFA and change in land use mix is commensurate with an increase in resident and worker populations within the Town Centre, and so has implications for the quantum of essential infrastructure and public domain and their staging and delivery. The changes to the public domain layout across the entire Town Centre, with the additional streets would increase the cost of civil works.

The City undertook a cost review of the essential infrastructure items in the *Green Square Town Centre Infrastructure Strategy 2006* to inform the case for updating the strategy and the extent to which the anticipated contributions from landowners would meet the actual infrastructure costs.

This work was considered by Council in May 2011. Council noted that the CPI is to be used to update the essential infrastructure as it is considered it appropriately reflects the long term cost escalation of a project of the scale of the Town Centre, which is anticipated will evolve over many years.

It is therefore noted that a review of the *Green Square Town Centre Infrastructure Strategy 2006* is not proposed with this Planning Proposal. A holistic review of the strategy may be warranted at a later stage, once the current Planning Proposals are further progressed, the staging of development more clearly defined and any potential State Government funding commitments known.

The City will also undertake the update of the infrastructure and public domain Development Applications approved by Council in November 2008. The implications for Council arising from the infrastructure funding and delivery model to ensure potential financial exposure and risks to Council are identified and responsibly managed are also being considered.

This Planning Proposal provides the City with the opportunity to connect the Town Centre to green transformer technology that has the potential to supply thermal energy to development sites. It is also proposed to provide dual reticulation in all buildings for future connections to a non-potable/recycled water source and automated waste collection for future connection to an automated waste system.

Other Relevant Studies

In addition to the work identified above, other relevant documents that inform the review of the planning controls and the Planning Proposal include:

- (c) **Sustainable Sydney 2030:** The vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. The Town Centre offers an important opportunity for the realisation of many aspects of *Sustainable Sydney 2030*;
- (d) **Green Square and Southern Areas Retail Study 2008:** This study provides a retail hierarchy for the southern areas of the City, centred upon the Town Centre as a major centre;
- (e) **Town Centre Infrastructure and Public Domain Development Applications** Development consent was granted by Council in November 2008 for the essential infrastructure works and public domain (Stage 1) works in the Town Centre. Essential infrastructure works include the construction of a hierarchy of public roads, footpaths, landscaping, and stormwater construction under 'The Drying Green'. The public domain works include concept design plans and the details of the general layout of spaces, and landscaping for the 'Green Square' plaza and 'Neilson Square', 'The Drying Green', Shea's Stream, and the Link Road running along the north of the plazas as an extension of the light rail corridor. The Development Applications are to be updated by the City to encompass the changes under this Planning Proposal and the Planning Proposal for the Landcom/Mirvac/Leighton sites.

Part 1 – Objectives or Intended Outcomes

It is intended to implement a Standard Instrument LEP across the Green Square Town Centre area of the City of Sydney that replaces the current LEP made as an amendment to *South Sydney Local Environmental Plan 1998*, which operates as a deferred instrument under provision 59(3) of the EP&A Act.

The work the City has undertaken in drafting the City of Sydney city-wide City Plan, Draft *Sydney Local Environmental Plan 2011* and Draft *Sydney Development Control Plan 2010*, which were publicly exhibited from 2 February to 21 April 2011, have informed the preparation of the site-specific controls for the residual sites. The Town Centre planning controls are excluded from the Draft *Sydney Local Environmental Plan 2011*, due to the planning controls not being easily integrated into the Standard Instrument template, in particular because of their highly prescriptive nature. The Town Centre LEP 2010 will be incorporated in the City's comprehensive LEP at a later time.

The objectives of this LEP Planning Proposal are to:

1. Enable the redevelopment of the residual sites for a mix of land uses that:
 - a. contribute to sub-regional housing and employment targets;
 - b. provide for the economic and social needs of the local community;
 - c. contribute to the creation of the Green Square Town Centre as a major commercial, retailing, cultural and entertainment centre for the southern areas of the City;
 - d. are located to take advantage of access to public transport; and
 - e. enhance the amenity and environment of the local area.
2. Maximise the use of public transport, walking and cycling by integrating land uses, access to public transport and services and the provision of on-site parking.
3. Encourage the development of buildings that achieve design excellence and a public domain that is safe, accessible and attractive.
4. Ensure that development is designed so as to promote the vitality of the public domain by providing active frontages to streets and other identified public spaces.
5. Ensure the use of land is appropriate to managing and minimising risks from flooding.
6. Allow equitable access to, within and across the Town Centre for pedestrians, cyclists, public transport and other vehicles.
7. Achieve sustainable development and encourage best practice.

It is intended the new LEP will update the current provisions and integrate the outcomes of recent studies and strategies, and the consideration of proposal(s) submitted to the City seeking an amendment of the current planning controls.

As previously mentioned, the primary objectives of the review are to produce:

- (d) a more flexible regulatory framework that can respond to market demand and that is compliant with Standard Instrument requirements;
- (e) a land use, built form and public domain framework that reflects good urban design and sustainability principles; and
- (f) a scheme that generates the catalyst for the creation of new jobs, services and dwellings serviced by the appropriate infrastructure and a high level of public transport accessibility.

The “deferral” model applies to all sites in the Town Centre under the current Town Centre LEP. It is intended to continue as the basis for ensuring the essential infrastructure is provided with any redevelopment. The mechanism for un-deferring land is an offer by the site owner/developer to commit to contribute to the delivery of the essential infrastructure and land. This commitment is set out in a Planning Agreement negotiated with the City of Sydney upon the request of the site owner/developer.

It is therefore intended to include in the LEP Standard Instrument clauses that apply to the land, in addition to establishing the criteria under which the instrument can be un-deferred. Additional local provisions on stormwater and flood management, architectural design standards, affordable housing, and car parking provision are proposed to be included.

Part 2 – Explanation of the Provisions

The proposed LEP will be a new site-specific principal LEP based on the Standard Instrument LEP and with local provisions that address site-specific issues. This LEP will be incorporated in the City's comprehensive LEP at a later time.

Primarily, the objectives will be achieved by:

1. Replacing the current Town Centre LEP controls to allow redevelopment for a mix of uses;
2. Providing appropriate development standards; and
3. Providing local provisions to manage environmental, social and economic impacts from future developments.

2.1 LEP Provisions

The Standard Instrument LEP provisions will cover, amongst others, the following key matters:

- **Land use zoning:** The current zoning consists of non-Standard Instrument compliant land use zones, which differentiate between the public open space and street network, and 'development sites'. As previously mentioned, in order to comply with the Standard Instrument, the LEP will apply Zone B4 Mixed Uses to the lots east of Botany Road and Zone B3 Commercial Core to the lots west of Botany Road at the Green Square Railway Station. The Planning Proposal does not intend to prohibit land uses otherwise permissible in the land use table.

Additionally the Planning Proposal will zone the site at 2A Bourke Road, Zone SP2 Road, as this lot is required for the realignment of O'Riordan Street, regional traffic management and will facilitate redevelopment of the Green Square Railway Station site at 312-318 Botany Road. The lot is identified in the Land Acquisitions Map.

Botany Road is also proposed as Zone SP2 Road as roads are to be zoned under the Standard Instrument, and this is the approach taken in the Draft *Sydney Local Environmental Plan 2011*.

- **Height of buildings:** The current Town Centre LEP provides for height of buildings expressed as RLs, where height is measured to the highest point of the building excluding plant and lift overruns, communication devices and the like. Under the Standard Instrument, height is measured from existing ground level to the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, etc. This Planning Proposal adopts the Standard Instrument definition and expresses height of buildings in RLs. This approach seeks to accommodate proposed ground levels and flood planning levels as documented in the essential infrastructure Development Application approved by Council in November 2008. It is noted subsequent minor adjustments will be necessary to accommodate future detailed design. (Flood planning levels are further explained in the section on Local Standard Instrument Provisions).

Height variations are shown for each lot, and reflects the maximum height of buildings within the 'development sites' and their alignment with the major public domain elements. In most cases the building heights also reflect the additional 10% floor space ratio permitted under the proposed Design Excellence provisions (see section 2.4 Local Provisions below).

- **Floor space ratio:** The current controls provide for a gross floor area for each 'development site', rather than a floor space ratio for lot areas. This Planning Proposal sets floor space ratios for each of the residual sites which correspond to the aggregated gross floor area of each of the 'development sites' that will result from the proposed street layout. More detailed development site building bulk and form controls are to be contained in the DCP.

The floor space ratio calculations do not include the additional 10% permitted under the proposed Design Excellence provisions (see section 2.4 Local Provisions below).

- **Heritage:** This proposed heritage listing reflects the South Sydney Hospital heritage items currently listed on *Schedule 2 – Heritage Items of South Sydney Local Environmental Plan 1998*, which are based on the *Royal South Sydney Hospital, Joynton Avenue, Zetland Heritage Assessment*, undertaken in March 2004 by consultants City Plan Heritage.

The identified Royal South Sydney Hospital Group includes:

- (a) 'Administration Building', Queen Anne Style Building, 1913, with later alterations and additions;
- (b) 'Pathology Building', single storey building to Joynton Avenue, 1913;
- (c) 'Outpatients Building', single storey Inter-War Georgian Revival Style building c1935;
- (d) 'Nurses Home' (eastern wing), three storey Inter-War Georgian Revival style building;
- (e) brick and sandstone boundary fence to Joynton Avenue, 1913 and;
- (f) landscaped area fronting Joynton Avenue between the Nurses Home' and 'Pathology Building', including significant trees and open landscaped areas around the buildings.

2.2 LEP Maps

The LEP will adopt the following maps, as shown at Appendix C, and described below:

Provision	Explanation
1. Land Application	This map shows the land to which the plan applies (the Residual sites).
2. Land Use Zone Map	This map shows the land use zone that applies to the land: B4 Mixed Use, SP2 Road and B3 Commercial Core
3. Height of Buildings Map	This map shows the maximum height of buildings in 'Australian Height Datum Reduced Levels' with variations within each site which reflect heights in each 'development site'. The maximum height can accommodate the additional GFA potentially available through design excellence.
4. Floor Space Ratio Map	This map shows the maximum floor space ratio for each site.
5. Flood Planning Map	This map identifies the 'flood planning area' subject to the relevant Flood Planning provision of the LEP.
6. Acid Sulfate Soils Map	This map identifies the class of land referred to in the Acid Sulfate Soils provision of the LEP.
7. Land Acquisitions Map	This map identifies any land which a State Government agency, Roads and Maritime Services in this case, has formally agreed to purchase the land at some point in time.
8. Active Frontages Map	This map defines those areas where activities that activate the street (such as retail) are to be located.
9. Heritage Map	This map defines the site where heritage listed items (the former South Sydney Hospital site) are located within the residual sites.

2.3 Optional Standard Instrument Provisions

Provision	Explanation
Height of buildings	<p>This provision limits the height of buildings to that shown on the Height of Buildings Map.</p> <p>Building heights range from 21 storeys on the site at the Green Square Railway Station to 3 storeys in the former South Sydney Hospital site, and are expressed in 'Australian Height Datum Reduced Levels' (RL).</p>
Floor Space Ratio	<p>This provision sets the floor space ratio for a building on a site as that shown on the Floor Space Ratio Map.</p> <p>The proposed Floor Space Ratio across the sites ranges from 1.81:1 on the Waverley Council Depot site at 97-115 Portman Street, to 11.54:1 on 6-12 O'Riordan Street, adjacent to the Green Square Railway Station.</p>

2.4 Local Provisions

The local provisions contained in this Planning Proposal are generally consistent with the Draft *Sydney Local Environmental Plan 2011*, except for car parking rates, as discussed below.

The LEP will include the following provisions which cover matters more specific to the sites:

Provision	Explanation
Flood planning	<p>The Town Centre is subject to significant floodwater management constraints, and certain requirements to ensure potential risks and hazards are addressed are included in this provision. A similar provision is contained in the current Town Centre LEP. The purpose of this provision is to minimise flood associated risks to life and property and avoid significant adverse impacts to flood behaviour and the environment.</p> <p>The provision applies to the land identified as the "flood planning area" on the Flood Planning Map, which refers to the area subject to flood-related development controls, shown at Appendix C. Before granting consent to development the provision requires the consent authority to be satisfied that development:</p> <ol style="list-style-type: none"> 1. is compatible with the flood hazard of the land; 2. will not significantly and adversely affect flood behaviour to the detriment of other properties or the environment; and 3. manages risks from flooding. <p>The detailed design of the infrastructure undertaken for submission of the essential infrastructure Development Application approved by Council in November 2008, involved the preparation of a Flood Study and Flood Risk Management Plan in accordance with the NSW Government's <i>Floodplain Development Manual</i> (2005). This establishes "flood planning levels" that vary across the Town Centre. Therefore the definition of "flood planning level" in the LEP for the residual sites refers to the level of a 1:100 ARI (average recurrent interval) flood event plus a freeboard of 0.5 metres or as otherwise defined by a specific <i>Flood Risk Management Plan</i> prepared for the land.</p> <p>The ground levels for future development sites have not been finalised. This will occur once new roads and other civil works infrastructure are finally designed and constructed, taking into account the flood planning outlined above. As ground levels may change, so may the absolute height of future buildings when expressed as RLs. The Height of Buildings Map assumes an overall height, inclusive of the necessary flood planning level, however, this may be adjusted taking into account the future height of civil works.</p>

Provision	Explanation
Design excellence	<p>The purpose of this provision is to ensure that development achieves design excellence.</p> <p>It requires the consent authority to be satisfied that a development achieves design excellence and sets out the matters which the consent authority must consider in determining whether the development exhibits design excellence.</p>
Land use mix	<p>The current land use controls are specific about the breakdown of commercial, residential and retail floorspace permissible for each 'development site', applied through the land use zoning. This is to ensure a desirable mix of land uses within the Town Centre, but also to ensure that contributions to the delivery of the essential infrastructure required under the 'Development Rights Scheme' (which is tied to the land use mix and amount) are achieved. It is proposed that the residual sites to the east of Botany Road be zoned Zone B4 Mixed Uses, with sites west of Botany Road at the Green Square Railway Station being zoned Zone B3 Commercial Core to ensure a balance of commercial and residential uses.</p>
Airspace operations	<p>The Town Centre is within the Inner Horizontal Surface at 51m AHD for the Sydney Airport Obstacle Limitation Surface. The provision seeks to ensure that airport operations are not compromised by proposed development that penetrates the Obstacle Limitation Surface. The provision requires that before granting development consent the consent authority must consult with Sydney Airport.</p>
Development in areas subject to airport noise	<p>Due to the proximity of the Town Centre to Sydney Airport, requirements for consideration of the noise impact of aircraft on development are proposed to be included in the LEP. The provision requires the consent authority, before granting consent, to consider whether the development is within and designed to appropriate standards, including interior noise levels.</p>
Car parks	<p>The current Town Centre LEP enables development for the purpose of a communal car park to be undertaken beneath the proposed public plazas. Car parks are permissible use under the proposed Zone B4 Mixed Use. The provision includes the criteria the consent authority is to consider before granting development consent for any car park.</p>
Car parking ancillary to other development	<p>The purpose of this provision is to set the maximum number of car parking spaces (ancillary to development) that may be provided to achieve the environmental and social objectives of the plan.</p> <p>The maximum number of car parking spaces permitted for a use is set out in the Drafting Instructions at Appendix B.</p> <p>The Planning Proposal applies the current car parking rates contained in DCP 11. The comprehensive city-wide <i>Sydney Local Environmental Plan 2011</i> applies revised car parking rates throughout the entire City of Sydney, which would allow fewer car parking spaces within the residual sites.</p> <p>Further examination of the adequacy of car parking rates concludes that DCP11 rates are to be applied until such time that key aspects of infrastructure within the Landcom/Mirvac/Leighton sites such as the 'Eastern Transport Corridor' to improve access to the Green Square Railway Station and improvements to public transport accessibility and frequency are completed. It would not be realistic to impose such tighter restrictions without delivery of major improvements in transit along the key regional transport corridors.</p> <p>This position will be re-examined once the TMAP2 and other studies identified in the Background section of this Planning Proposal are finalised.</p>
Affordable housing	<p>The purpose of this provision is to ensure the provision of affordable housing within the residual sites. The provision is a continuation of the existing <i>Green Square Affordable Housing Scheme</i> and the provisions applicable to the current Town Centre LEP.</p>

Provision	Explanation
	The provision applies a levy calculated as a percentage of the residential and non-residential floor area of the development.
Acid Sulfate soils	<p>The purpose of this provision is to ensure any development on land containing, or potentially containing, acid sulfate soils does not result in environmental damage caused by acid sulfate soils.</p> <p>The provision requires development consent for certain works on a class of land identified on the 'Acid Sulfate Soils Map' at Appendix C, and the preparation and submission of an acid sulfate soils management plan prior to the granting of consent.</p>
Public utility Infrastructure	The purpose of this provision is to ensure that sufficient infrastructure is available to service the development. The provision requires the consent authority to be satisfied that public utility infrastructure essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.
Active street frontages	<p>The purpose of this provision is to ensure continuous business or retail land uses that open directly to the footpath provide active, people-oriented street frontages. The provision seeks to enhance public security and passive surveillance and to improve the amenity to the public domain by encouraging pedestrian activity.</p> <p>'Active street frontages' are identified in the Active Street Frontages Map shown at Appendix C.</p>

Part 3 – Justification

Section A – Need for a Planning Proposal

A.1 Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal responds to the need to provide a Standard Instrument LEP compliant LEP for the Town Centre. The Town Centre lands are to be excluded from the City-wide *Sydney Local Environmental Plan 2011*, and will continue to be governed by the deferred current Town Centre LEP under Clause 59(3) of the EP&A Act. The need to review and update the current planning controls and supporting Infrastructure Strategy is the result of the outcomes of recent strategies the City has endorsed for its renewal areas, such as the *Green Square and Southern Areas Retail Study 2008*, the TMAP, and *Sustainable Sydney 2030*. It has also been expedited by Landcom/Mirvac/Leighton proposal request to amend the current LEP controls for their three sites, covering about 40% of the Town Centre lands, and for which a separate Planning Proposal is being progressed. This Planning Proposal seeks to amend the current LEP controls for the remaining twelve sites within the Town Centre, the residual sites.

The current controls are prescriptive in terms of gross floor area, height and land use location and mix. The controls define the 'development sites' and the public domain (roads and open space) through land use zoning. Each 'development site' is prescribed a gross floor area and height, which can be varied up or down by 10% only. This prescriptive gross floor area is used to ensure the appropriate level of essential infrastructure contribution under the associated 'Development Rights Scheme' set in the *Green Square Town Centre Infrastructure Strategy 2006*. The land use mix is also prescribed for each development site with only a minor variation permitted.

As previously mentioned, the primary objectives of the review of the planning controls are to produce:

- (g) a more flexible regulatory framework that can respond to market demand and that is compliant with Standard Instrument requirements;
- (h) a land use, built form and public domain framework that reflects good urban design and sustainability principles; and
- (i) a scheme that generates the catalyst for the creation of new jobs, services and dwellings serviced by the appropriate infrastructure and a high level of public transport accessibility.

The review of the planning controls and this Planning Proposal will therefore apply recommendations from the recent studies and strategies applicable to the Town Centre, and will be informed by the work undertaken to progress the Landcom/Mirvac/Leighton Planning Proposal and other proposals within the Town Centre.

A.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the only means of enabling the substantial amendments to the planning controls for the Town Centre, to ensure that development is capable of being undertaken in a timely manner, and to deliver the substantial public benefits inherent in the scheme. Since the original scheme was developed, and subsequently adopted by the Council and the CSPC in April 2006, a number of factors have necessitated the need to review the planning controls, namely:

- considerations relating to additional technical studies (such as flooding, transport etc)
- the introduction of the Standard Instrument LEP and other amendments to the EP&A Act
- State and local strategic objectives (Metropolitan and Subregional strategies, and *Sustainable Sydney 2030*); and
- significant changes to the legislative framework for the levying of funding for infrastructure.

At the same time substantial development has now been undertaken in the wider Green Square area and the significantly larger population increasingly rely on the facilities and amenities to be provided in the Town Centre. This emphasises the need to achieve the development of the major centre in a timely manner.

A.3 Is there a net community benefit?

There is a net community benefit provided by the development of the Town Centre. The sites are currently zoned for industrial uses in most part (except the former South Sydney Hospital site which is zoned for special uses), and include various industrial developments, and vacant sites. The Planning Proposal will facilitate the development of a major residential, commercial and retail centre to service the substantial residential and worker population in Green Square and the wider southern Sydney area. This includes substantial public domain in the form of two plazas, two parks, and a network of new streets with cycle and pedestrian routes providing access across the area and to the Green Square Railway Station.

Issue	Comment	Net community benefit?
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?	The Town Centre is located within the City to Airport Strategic Corridor and is identified as a 'Planned Major Centre' in the NSW Government's Metropolitan Plan. The Planning Proposal will be compatible with these designations.	Yes
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?		
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	The Planning Proposal is being prepared, in part, to integrate the work associated with a submission received on behalf of Landcom/Mirvac/Leighton, which control substantial sites within the Town Centre. This submission sought to significantly amend the current Town Centre LEP and has resulted in a revised planning framework for the entire Town Centre. Other submissions have been subsequently received by the City on behalf of other landowners within the Town Centre. This Planning Proposal will allow for a holistic review of the planning controls for the entire Town Centre.	Yes

	Comment	Net community benefit?
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	<p>No other spot rezonings in the locality have been progressed in the recent past. The land use zones in the area have been subject to extensive review to inform the zones to be incorporated into the proposed new comprehensive City-wide Draft <i>Sydney Local Environmental Plan 2011</i>. It is not intended the Planning Proposal will significantly amend the intent of the existing non-Standard Instrument compliant zones.</p> <p>Two other Planning Proposals affecting land within the Town Centre are being progressed:</p> <ul style="list-style-type: none"> • A Planning Proposal for the site at 301 Botany Road, which seeks to amend the current Town Centre LEP in relation to land use mix, was finalised in mid-2011 and is with the Department of Planning and Infrastructure with a request for the LEP to be made. • The Planning Proposal for the Landcom/Mirvac/Leighton sites at 956-960 Bourke Street, 355 Botany Road and 377-397 Botany Road, Zetland was finalised late in 2011. Once a voluntary Planning Agreement is executed with the landowners in respect of the infrastructure delivery, the Planning Proposal will be submitted to the Department of Planning and Infrastructure for the LEP to be made. <p>This Planning Proposal includes the site at 301 Botany Road to put in place Standard Instrument LEP compliant planning controls for the site. It is also consistent with the Planning Proposal for the Landcom/Mirvac/Leighton sites.</p>	Yes

<p>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</p>	<p>The LEP will effectively result in the loss of industrially zoned lands (as the effective land use zone applying to the Landcom/Mirvac/Leighton sites). However the current Town Centre LEP, although deferred, has the potential to allow through the Green Square Town Centre and Green Square Town Centre Public Domain Zones, for mixed use development including commercial, retail and residential. This Planning Proposal is intended to continue this approach and once LEP zonings are activated, the loss of 'employment lands' on the low density industrial sites will be replaced by commercial and retail employment generating activities. With the current Planning Proposals it is estimated the whole Town Centre will generate approximately 8,600 workers at built out.</p>	<p>Yes</p>
<p>Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?</p>	<p>The Planning Proposal will significantly increase the supply of residential development in the area. The current deferred Town Centre LEP permits 286,700sqm of residential GFA. This Planning Proposal together with the Planning Proposal for the Landcom/Mirvac/Leighton sites consider the opportunity to increase this, and to make a significant contribution to meeting the residential dwelling targets contained in the Metropolitan Strategy for the City of Sydney. At built out the whole Town Centre is estimated will accommodate approximately 3,750 dwellings.</p>	<p>Yes</p>

<p>Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?</p>	<p>The site is located at the junction of three significant roads through the southern Sydney area, Botany Road, Bourke Street and O'Riordan Street. These roads provide an essential link between Central Sydney, the airport and Port Botany. The additional capacity of these roads is limited and will be further stretched by the increase in population in the Town Centre. The Town Centre is directly adjacent to the Green Square Railway Station. The removal of the station access fee in March 2011 has seen a net uplift in patronage of at least 50%. The provision of improved public transport services, such as the delivery of the 'Eastern Transport Corridor' will be necessary to effectively service the Planning Proposal.</p> <p>The Planning Proposal includes requirements for significant public domain in the form of new streets including cycleways and pedestrian links, and a proposed route for the future provision of light rail. These requirements will be supported by a detailed DCP. It is not until site landowners/developers agree to commit to contribute to the essential infrastructure that development will be permitted in the Town Centre.</p>	<p>Yes/No</p>
<p>Will the proposal result in changes to the car distances travelled? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</p>	<p>The Planning Proposal is likely to result in decreased car distances to be travelled by residents and employees in the Green Square and wider southern Sydney area. The Planning Proposal will contribute to the provision of a major retail, commercial and residential Town Centre to service the wider area and thereby reduce the distance to travel for retail and other services by the local population (existing and proposed).</p>	<p>Yes</p>
<p>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?</p>	<p>The Town Centre area includes the site of the Green Square Railway Station in the Airport Link Line. The removal of the service fee in March 2011 has already significantly increased patronage and activation of the station. Transport infrastructure upgrades have been identified in the 2008 Green Square TMAP (being updated by TMAP2) to service the Town Centre and the wider Green Square. Future investment in this infrastructure will be supported by the Planning Proposal.</p>	<p>Yes</p>

Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?	The Town Centre land has not been identified as having a need for protection due to environmental impacts. The land has been identified as being subject to flood risk. The Green Square area including the Town Centre is the subject of a Floodplain Risk Management Study and Plan to address this risk. It is intended to include provisions in the LEP to require flood mitigation measures for development. This requirement will be supported by the flood management strategy detailed in the above Study and Plan.	Yes
Will the LEP be compatible/ complementary with surrounding land uses? What is the impact on amenity in the location and wider community?	The development of a Town Centre in this strategic location is complementary to the extensive residential development that has occurred in the east of the Green Square area, and to its location within the City to Airport Corridor. The site will also provide services to the industrial and commercial uses to the west. The Draft <i>Sydney Local Environmental Plan 2011</i> proposes appropriate land use zoning for adjacent sites to ensure the Town Centre can develop as a 'Planned Major Centre'.	Yes
Will the public domain improve?	The LEP will support redevelopment of the land and significant improvements to the public domain throughout the whole Town Centre with the provision of public plazas, a new network of streets, cycleways and pedestrian links and a major transit corridor.	Yes
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	The Planning Proposal will enable the development of a large retail and commercial centre to support the surrounding residential and industrial area. The site is planned to provide significant retail uses, including much needed fresh food/supermarket uses for the wider Green Square area.	Yes
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	The Planning Proposal is for a centre, a 'Major Planned Centre' identified in the Metropolitan Plan.	Yes

What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	The draft plan is needed to facilitate the development of a major component of the Town Centre which will provide new jobs and dwellings to meet Metropolitan-wide targets, and to provide essential retail and services to the wider Green Square and southern Sydney area. There is a current plan in operation, however, since its gazettal no development has been forthcoming under the controls. The plan needs updating with regard to current development conditions, the City's directions and objectives for renewal areas under <i>Sustainable Sydney 2030</i> , and to respond to the Planning Proposal for the Landcom/Mirvac/Leighton sites as well as proposals from other landowners. Delay in the progress of the plan may impede the development of the Town Centre and thereby further delay the provision of services and amenities to the rapidly increasing population of Green Square.	Yes
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Section B – Relationship to Strategic Planning Framework

B.1 Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Plan for Sydney 2036 and exhibited draft strategies)?

The Green Square Town Centre presents many opportunities to satisfy the objectives and targets set out in the Metropolitan Plan and the *Sydney City Draft Subregional Strategy*. The Town Centre provides an opportunity to provide a significant proportion of the proposed jobs and dwellings and supporting public domain and essential infrastructure, as detailed below.

Metropolitan Plan for Sydney 2036

The Metropolitan Plan is a NSW Government strategic document that outlines a vision for Sydney to 2036. The Metropolitan Plan identifies key challengers facing Sydney including a population increase to 6 million by 2036 – an increase of 1.7 million from 2006 – requiring 770,000 new homes and 760,000 new jobs. In responding to these and other challenges the Metropolitan Plan sets out five aims to enhance liveability, strengthen economic competitiveness, ensure fairness, protect the environment and improve governance. It proposes nine strategic directions to achieve those aims including: Strengthening a City of Cities, Growing and Renewing centres, Transport for a Connected City, Housing Sydney's Population, Growing Sydney's Economy, Balancing Land uses on the City Fringe, Tackling Climate Change, protecting Sydney's Environment, Achieving Equity, Liveability and Social Inclusion and Delivering the Plan.

Strengthening a City of Cities

The Metropolitan Plan continues to envisage Sydney as a 'City of Cities' and the continued success of Central Sydney as a global and iconic centre. The Metropolitan Plan identifies Green Square as a 'Planned Major Centre' that will support Central Sydney within a transport and economic network, offering a focus of housing, commercial activity and local services at a different scale to that of central Sydney. The Planning Proposal and the proposal for the Landcom/Mirvac/Leighton sites will act as a catalyst for the development of Green Square.

Growing Sydney's Economy and Growing and Renewing Centres – The Town Centre is identified as being located within the Global Economic Corridor and a 'Planned Major Centre', The Metropolitan Plan identifies the need to achieve a well connected strong and viable centre which provides employment, retail and residential functions for the wider metropolitan area (action B1.3). The Green Square 'Planned Major Centre' is allocated an employment capacity of 16,000 jobs by 2036. In order to achieve this capacity it is

important that the Town Centre provides an attractive centre for commercial activities. (It is noted the strategy defines the boundaries of the centre as including adjacent areas to the east.)

Housing Sydney's Population – The Metropolitan Plan seeks to focus residential development around centres. The Town Centre will assist in the concentration of residential development and in achieving the residential dwelling targets set out in the Metropolitan Plan (Objective D1, Action D1.2). This Planning Proposal and the Planning Proposal for the Landcom/Mirvac/Leighton sites are estimated will result in more dwellings in the Town Centre, from about 2,900 dwellings to 3,750. It also provides an excellent opportunity or new housing due to its proximity to transport, open space, existing and new employment and the provision of community and neighbourhood services on the site (Action B1.3) The Planning Proposal will enable an important contribution to the supply of housing and will also include requirements for the provision of affordable housing contributions (in-kind provision of affordable housing units and monetary contributions) to increase the stock of affordable housing in the area, and expand the housing mix.

Transport for a Connected City – The provision of additional infrastructure will support the growth of the centre and improve the amenity and connectivity for the wider area. The Planning Proposal will encourage more sustainable travel behaviour by locating residential and mixed uses within walking distance of the Green Square Railway Station. By providing significant cycle and pedestrian routes to enhance the access to transport by walking and cycling (objective C4, Action C4.1). The delivery of additional infrastructure as part of the development process, will improve the amenity and connectivity to the wider area. It will also facilitate the future provision of a light rail system which will enable the integration of existing modes of transport, improve the accessibility of the area, and reduce car dependency.

Balancing Land Uses on the City Fringe – The Metropolitan Plan aims to build 70 per cent of new home sin the existing urban area. The Planning Proposal is consistent with this aim by allowing for infill development to aid the containment of Sydney's urban footprint (Objective F1).

Tackling Climate Change and Protecting Sydney's Natural Environment – The Planning Proposal seeks to further consolidate the projected employment and population growth of Sydney within the existing urban footprint through the redevelopment of an underutilised industrial site for a major commercial, retail and residential centre. Sustainability outcomes such as recycled water use, Water Sensitive Urban Design initiatives, sustainable flood management and connectivity to tri-generation are being proposed to be implemented (Objective G4, Action G4, G5.1).

Achieving Equity, Liveability and Social Inclusion – The Planning Proposal will provide for residential development and will promote a mix of housing types including affordable housing o ensure access to services, transport and employment. The Town Centre will provide for significant increases in public open space in the form of two plazas and two parks, to serve the needs of the future Town Centre residents and workers, and the wider community. These spaces will be linked to the wider network of existing and proposed parks and public places within Green Square and the adjacent areas (Objective H3, Action H3.1).

Sydney City Draft Subregional Strategy

The State Government's *Sydney City Draft Subregional Strategy* sets directions and actions for the implementation of the Metropolitan Plan at a more detailed local level. Subregional planning provides a framework for coordinating planning, development, infrastructure, transport, open space networks and environmental actions across local and state government agencies. The Draft Subregional Strategy sets targets for 55,000 new dwellings and 58,000 new jobs to be provided in the Sydney City Subregion by 2031. (These targets were updated under the Metropolitan Plan to 61,000 new dwellings and 96,000 new jobs by 2036.)

Economy and Employment – The Planning Proposal intends to zone the residual sites for Zone B4 Mixed Use and Zone B3 Commercial Core, which will allow for development that will contribute to the subregional jobs target (Action 1.4). The Planning Proposal will not result in a loss of employment lands identified as Category 1 and 2 land in the 'Schedule of Future Employment Lands' in the *Draft Subregional Strategy*.

Centres and Corridors – Green Square is nominated as a 'Planned Major Centre' providing a major shopping and business centre serving the subregion with large shopping malls, specialist retail, medical services, taller offices and residential buildings and a minimum of 8,000 jobs (within a 1km radius of the train station). The figures specifically for the Green Square Town Centre provide for 6,850 residents and 5,000 jobs. The review of the planning controls for the Town Centre have the potential to increase the commercial and retail floorspace achievable and provide jobs for approximately 8,600 workers.

Housing – The City of Sydney will seek to continue to facilitate the delivery of the Town Centre and the provision of around 3,750 new dwellings accommodating about 6,850 residents.

The provision of new dwellings will support the State Plan Priority for 'jobs closer to homes' by increasing the number of people living within 30 minutes of a major centre by public transport (Action C2.1.1). The Planning Proposal will require the consideration of design excellence in the development approval process (Action C5.1) and encourages a range of housing types. A supporting DCP will encourage various housing typologies and mixes as well as adaptable and accessible housing to provide for a broad demographic mix of residents (Action C2.3).

Transport – The Town Centre is located on the Miranda to City Strategic Bus Corridor which will target a 25km/hr average bus speed and new integrated bus network. This and other measures are being pursued through the 2008 Green Square TMAP and the forthcoming TMAP2. The Planning Proposal in conjunction with an updated Town Centre DCP will incorporate transport considerations and actions resulting from this plan.

Environment, Heritage and Resources – The Planning Proposal identifies the Flood Planning Area and requires the consideration of relevant matters in the development process. The Planning Proposal incorporates the outcomes of the *Green Square Town Centre Flood Study* and the *Flood Risk Management Plan* (2008), prepared in accordance with the *Flood Prone Land Policy* and *Floodplain Development Manual* (2005) and which considers the latest information available including that related to climate change (Action E2.1.1, E2.1.5 and E5.3.1).

The Planning Proposal assists in containing the urban footprint of the metropolitan region by providing dwellings within an existing area (Action E3.1) and incentivises reductions in greenhouse gas emissions and potable water use beyond minimum standards (Actions E3.2 and E3.3).

Parks, Public Places and Culture – The Planning Proposal will facilitate the delivery of significant public open space and civic urban space in the form of plazas that will foster cultural and social activities. Community facilities and amenities are planned in these spaces. This is consistent with the subregional policy provisions.

B.2 Is the Planning Proposal consistent with the local council's Community Strategic Plan or other local strategic plan?

Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. Of these, the following Directions are relevant to the Town Centre and this Planning Proposal.

Direction	Comment	Compatible
Direction 2 provides a road map for the City to become <i>A Leading Environmental Performer</i> and sets measurable targets to drive down the environmental footprint, including reducing greenhouse gas emissions by 70% compared to 1990 levels by 2030. Objectives include increasing the capacity for local energy generation and water supply; reducing waste generation.	Investigations are being undertaken for the Town Centre to be the location for 'green infrastructure' – tri-generation, automated waste collection and water recycling. Landcom/Mirvac/ Leighton propose to make provision for all buildings to be designed and capable of connection to a tri-generation, recycled water and automated waste systems to be provided by the City. A voluntary Planning Agreement has been executed with the landowner of the site at 301 Botany Road securing the future development connection to the 'green infrastructure'. Similar opportunities will be pursued by the City for other sites in the Town Centre and the wider Green Square Urban Renewal Area.	Yes
Direction 3 - <i>Integrated Transport for a Connected City</i> includes objectives supporting and planning for enhanced access by public; developing an integrated inner Sydney public transport	Measures being pursued through the Green Square TMAP and the forthcoming TMAP2 will support the development of the Town Centre, such as the development of more efficient transit corridors and services, and	Yes

network; and managing regional roads to support increased public transport use.	<p>pedestrian routes and more pleasant walking environments.</p> <p>The Planning Proposal supports the development of a future public transport route through the Town Centre, terminating at Botany Road, adjacent to the Green Square Railway Station.</p> <p>The removal of the access fee at the Green Square Railway Station is a welcome opportunity, and the City further welcomes the opportunity to introduce light rail to service the area. The City has made a number of submissions to the State Government and Infrastructure Australia for funding of the light rail corridor.</p>	
<p>Direction 4 - <i>A City of Pedestrians and Cyclists</i> outlines actions that will make walking and cycling an easy option for residents and visitors in our City. Objectives include developing a network of safe, linked pedestrian and cycle paths integrated with green spaces.</p>	<p>The Planning Proposal seeks to enable a finer grain street pattern which will provide increased pedestrian and cyclist linkages throughout the Town Centre. Supporting controls will also promote the inclusion of cycleways and improved pedestrian amenity, with an improved public domain at the ground level through the introduction of active uses including retail at ground level.</p>	Yes
<p>Direction 6 - <i>Vibrant Local Community and Economies</i> recognises and seeks to build on our diverse City communities with diverse lifestyles, interests and needs. Objectives include creating a network of Activity Hubs as places for meeting, shopping, creating, learning and working for local communities.</p>	<p>The Town Centre will form a new activity hub, providing a focal point for the wider Green Square area, and facilities including retail and community buildings.</p>	Yes
<p>Direction 8 - <i>Housing for a Diverse Population</i> recognises that housing affordability is an increasing challenge in inner Sydney. Objectives include facilitating the supply of housing by the private market; ensuring that housing developments provide a diversity of housing opportunities for different lifestyle choices and household types; ensuring that a substantial proportion of housing is aimed at the lower end of the market; facilitating and promoting growth in the 'affordable housing' sector including by Not-for Profit (NFP) and other housing providers.</p>	<p>The Planning Proposal will enhance the provision of residential development in the inner city and supports the provision of affordable housing.</p>	Yes
<p>Direction 9 - <i>Sustainable Development, Renewal and Design</i> includes objectives to ensure renewal areas make major contributions to the sustainability of the City; planning for a beautiful City and promoting design excellence; and ensuring new development is integrated with the diversity and 'grain' of the surrounding City.</p>	<p>The Planning Proposal increases the contribution that the Town Centre will make towards accommodating the projected increases in residential and worker populations. It is set to be an example of sustainable high quality urban renewal.</p> <p>The Planning Proposal seeks to establish a finer grain block pattern that integrates with the surrounding street pattern. Provisions</p>	Yes

relating to design excellence are also proposed.

In addition to the above Directions, *Sustainable Sydney 2030* identifies 'Connecting Green Square' as one of '10 Project Ideas'. The 2030 Vision proposes the Town Centre be strengthened and supported by the addition of residential, retail and business activity and improved public transport. The Planning Proposal will consider the opportunity to generally increase the development potential of the area to provide additional residential, commercial and retail development, and will enable the future provision of public transport linking Green Square to the City Centre.

B.3 Is the Planning Proposal consistent with applicable state environmental planning policies?

State Environmental Planning Policy	Comment	Compatible
SEPP (Affordable Rental Housing) 2009	<p>The Divisions anticipated to apply to the land uses zones to be applied to the Town Centre are:</p> <p>Division 3 Boarding Houses – enables an additional 20% FSR for sites with an FSR over 2.5:1 when developed for the purpose of a boarding house, subject to specific provisions relating to the standard of development.</p> <p>Division 4 – Supportive accommodation is permissible without consent provided it does not involve alterations or additions to the building.</p> <p>Division 5 – Social housing joint ventures are permissible on any sites proposed to be zoned B3 Commercial Core.</p> <p>Division 7 – Group homes includes provisions relating to the exempt and complying development provisions for such development.</p> <p>Nothing in the Planning Proposal is inconsistent with these provisions.</p>	Yes
SEPP (Infrastructure) 2007	<p>The SEPP includes provisions relating to development with impacts on flood liable land, flood mitigation works, educational establishments, health service facilities, public administration buildings, development in rail corridors, and development adjacent to road corridors.</p> <p>The Planning Proposal is not inconsistent with the provisions of this SEPP.</p>	Yes
SEPP No. 55 - Remediation of Land	<p>The Planning Proposal does not propose to change the zoning of the land to permit uses which would not be permissible under the current LEP controls. The site is considered to be able to be made suitable for purpose through remediation.</p>	Yes
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	<p>The site has been identified as providing the potential for urban consolidation under the current LEP controls and this Planning Proposal supports this. The Planning Proposal is to enable significant multi-unit residential development on previously vacant or low scale industrial land.</p>	Yes
SEPP No. 1 - Development Standards	<p>The current deferred LEP for the Town Centre excludes the operation of SEPP 1. The Planning Proposal intends to provide controls consistent with the Standard LEP Instrument including provisions relating to varying the</p>	Yes

	development standards.	
SEPP No. 70 – Affordable Housing	The SEPP allows for the collection of development contributions for the purpose of affordable housing in Green Square. The Planning Proposal does not affect the operation of this scheme.	Yes

B.4 Is the Planning Proposal consistent with applicable Ministerial Directions (S117 directions)?

Section 117 Direction	Comment	Compatible
1.1 Business and Industrial Zones	The current deferred LEP proposes a change from an existing industrial zone to the Green Square Town Centre and Green Square Town Centre Public Domain Zones. The Planning Proposal will consider opportunities to increase the potential floor area for employment generating uses through the intensification of development to provide for higher level employment uses. Significant strategic planning has been undertaken in the Green Square area to review the quantum of industrial and business land and development.	Yes
2.3 Heritage Conservation	The Planning Proposal maintains the currently listed Heritage Item at the site of the former South Sydney Hospital.	Yes
3.1 Residential Zones	The Planning Proposal seeks to increase the housing choice in a location close to existing transport infrastructure, and to propose future infrastructure. The Planning Proposal will not reduce the permissible residential density of the land.	Yes
3.4 Integrating Land Use and Transport	The Planning Proposal will improve the accessibility of the area through the provision of significant new streets providing cycle, pedestrian and vehicular access. The integration of land use and the provision of a new major centre will reduce the car trip distances for the wider Green Square area.	Yes
3.5 Development Near Licensed Aerodromes	The Planning Proposal does not alter the permissible land uses from those enabled under the current deferred LEP. The City has referred the Planning Proposal to Sydney Airport Corporation Ltd (SACL) for advice on the Obstacle Limitation Surface for Sydney Airport. The City is awaiting the response.	Yes/Awaiting advice from SACL
4.1 Acid Sulfate Soils	Approximately 95% of the sites within the Planning Proposal are Class 5 for Acid Sulfate Soils (the lowest risk). The section which is Class 3 is proposed to be road.	Yes
4.3 Flood Prone Land	The Planning Proposal seeks to maintain the existing provisions relating to floodwater management and integrate the outcomes of the Floodplain Risk Management Study and Plan.	Yes
7.1 Implementation of the Metropolitan Strategy	As discussed in Section B1 and throughout this report, the Planning Proposal promotes the policies, outcomes and actions contained in the Metropolitan Plan. The Planning Proposal will facilitate redevelopment Town Centre sites and thereby contribute to the realisation of the Green Square Town Centre as a 'Planned Major Centre' as	Yes

envisaged by the Metropolitan Plan.

Section C – Environmental, Social and Economic Impact

C.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Grey-headed Flying-fox (*Pteropus poliocephalus*) is listed as a vulnerable species in the *Threatened Species Conservation Act 1995* and as a threatened species under the *Environment Protection and Biodiversity Conservation Act 1999* of the Commonwealth. In addition, the *Atlas of NSW Wildlife* on the National Parks and Wildlife website records sightings of other threatened species (2 animal species and 1 plant species) in the City of Sydney since 1980.

An Ecological Assessment for the Town Centre was undertaken in 2003 by consultants Kevin Mills & Associates as one of the technical studies in the masterplanning for the site. The assessment found that:

- the flora and fauna found/observed on the site are all common and widespread typical of urban environments; and
- there are no rare or threatened plant species likely to be present on the site, nor endangered populations, ecological communities or identified critical habitat.

The Ecological Assessment establishes that the only threatened animal species likely to occur on the site from time to time are visiting Grey-headed Flying-foxes and Large Bentwing-bats, and possibly nomadic honey-eating birds such as the Swift Parrot (*Lathamus discolor*).

Section 34A of the *Environmental Planning and Assessment Act 1979* requires a council to consult with the Department of Environment, Climate Change and Water (DECCW) before an LEP is made if, in the opinion of the council, critical habitat or threatened species, populations or ecological communities, or their habitats, will or may be adversely affected by the proposed LEP.

The Planning Proposal is unlikely to adversely affect the Grey-headed Flying-foxes or other threatened species. There is a sufficient tree canopy in the surrounding neighbourhood for any birdlife to relocate to, so the development is not considered will adversely impact on the local biodiversity. No advice from DECCW was received during the consultation/exhibition of the Planning Proposal.

C.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Flooding

The current deferred Town Centre LEP includes specific provisions relating to floodwater management. It is intended that these provisions will be incorporated in the proposed new LEP, and supported by DCP controls. A similar planning framework is intended in this Planning Proposal and the review of the Town Centre DCP.

The Planning Proposal includes changes to the infrastructure layout for the Town Centre, with associated changes to the development block layout and size. The City's review and update of the infrastructure Development Application approved by Council in 2008 will address any flood risk implications resulting from the proposed changes to the development sites and public domain layout.

Built Form and Public Domain

This Planning Proposal proposes minor increases in gross floor area which are derived from a detailed urban design analysis undertaken by the City in consideration of the Landcom/Mirvac/Leighton proposal. The increases in gross floor area being sought by Landcom/Mirvac/Leighton are much greater. Their implications for the wider Town Centre sites have been considered thoroughly and informed by the public consultation process undertaken in progressing the Landcom/Mirvac/Leighton Planning Proposal, to ensure that the resulting built form can provide a precinct where people are willing to live, shop and work and that the potential impacts on the adjacent development sites and neighbourhoods are minimised.

Amenity of public open space

During the preparation of this Planning Proposal the City has examined the opportunity to provide for additional gross floor area for some development sites. Table 1 shows the proposed gross floor area. The impact of this and any height increases upon the amenity of the public domain, in particular in terms of overshadowing, has been tested, and examined in more detail as the Planning Proposal progressed. It is proposed to include supporting DCP controls to guide the built form to ensure that high levels of amenity are provided to the public domain.

Transport

The Planning Proposal proposes minor increases in gross floor area for the residual sites. In progressing this Planning Proposal, the City has assessed the potential impact of the additional traffic generation resulting from the proposed relatively minor increase in gross floor area for the residual sites in terms of parking and transport provision (the proposed increases are shown in Table 1). The City will also conduct a study to identify measures to manage the future traffic generation from development in the Town Centre and potential impacts from parking on surrounding streets within the immediate locality. Traffic management systems will be implemented as development occurs.

The study will integrate the measures identified in the Green Square TMAP and forthcoming TMAP2.

The Planning Proposal proposes to apply parking rates in DCP 11. These rates are higher than those proposed under the Draft *Sydney Local Environmental Plan 2011*. The parking requirements for development will be examined further in light of the outcomes of TMAP to recognise its accessibility with regard to planned transport improvements. It is recognised that as accessibility improves with the construction of new streets and plazas and improvements to public transport, that these rates will decrease to reflect the rates in the Draft *Sydney Local Environmental Plan 2011*.

The impact of congestion that may result from development of the Town Centre has the potential to flow through to business efficiency and costs, which, in this location, will have a direct negative effect on the efficiency of the City to Airport economic corridor. The approach to counter this set out in the TMAP is to invest in public transport infrastructure early to provide alternative modes of travel for workers and residents, to optimise the efficiency of the existing road infrastructure and minimise the number of private cars on the road network. Some key actions in progress to address this are outlined below:

- (a) the City continues to advocate for improved public transport in the Green Square area. The recent removal of the station access fee from the Green Square station has seen a net uplift in patronage of at least 50% since March 2011;
- (b) to secure the 'Eastern Transit Corridor' which connects the Town Centre with Central, through Gadigal Avenue in the Green Square residential areas in the east – the City has completed one and is about to complete purchase of another parcel of land in the "Lachlan Precinct", adjacent to 'Victoria Park' to the north, and is working with Transport for NSW and the Department of Planning and Infrastructure for its protection under the State Environmental Planning Policy (Infrastructure), given its regional and national significance. Landcom/Mirvac/Leighton intend to deliver the corridor component within the Proposal sites;
- (c) led by the Transport for NSW, preparation of TMAP2 is underway – with a focus on the 'Eastern Transit Corridor', the update will include a full cost-benefit analysis of new bus routes and priority measures, the opportunities for the extension of bus/light rail networks southbound and an update on the level of mode share expected as a result of development. This study will take into consideration the impact of significant nearby developments at Redfern/Waterloo and Mascot;
- (d) a high-level strategic study of the triangle-shaped area between the City/Airport and Port Botany by Transport for NSW will soon commence – to examine the impact of major land use development on the transport network and develop better-informed solutions for this area;
- (e) the City continues to work with the Transport for NSW in developing improvements to transport in this area. Transport for NSW has recently completed a study into the capacity and use of the Botany Road transport corridor. As a result of this, some bus priority measures will be carried out to improve reliability and travel times for buses.
- (f) with funding from the Department of Planning and Infrastructure, the City will conduct a study to identify measures to manage the future traffic generation from development in the Town Centre and potential impacts from parking on surrounding streets within the immediate locality. Traffic management systems will be implemented as development occurs.

How has the Planning Proposal adequately addressed any social and economic effects?

The development of planning controls for the Town Centre has been subject to the many studies focused on sustainability solutions for economic and social effects of the planning scheme. The Planning Proposal does not intend to significantly amend the concept of the original scheme and therefore it is not considered necessary to undertake extensive social and economic impact assessments. However, the following issues are being considered.

Community facilities

The Town Centre has been earmarked as the site for a large multi-purpose community facility, incorporating a library, aged persons and family spaces and art and cultural and exhibition spaces. The facility is to serve the population of the Town Centre and the southern areas of the City. It is proposed to be located within the new 'Green Square' plaza, and planning controls will enable it.

Affordable housing

The planning controls for the Town Centre will continue to include provision for affordable housing contributions in accordance with the *Green Square Affordable Housing Scheme*. In addition, the City has identified dedication of land for future provision of affordable rental housing in the Town Centre as a priority, and this includes the direct provision by landowners/developers where this can be negotiated.

Retail development

The *Green Square and Southern Areas Retail Study 2008* considered the economic impact of retail development in the wider Green Square area on the development of a major retail centre at the Town Centre. The study recommends an increase in retail floorspace from 16,500 sqm to approximately 26,000 sqm. The study and its recommendations has been considered in the review of planning controls and the Planning Proposal for the Landcom/Mirvac/Leighton sites.

Infrastructure funding and delivery

The current *Green Square Town Centre Infrastructure Strategy* establishes essential infrastructure funding methodology and delivery for the Town Centre. The prescriptive nature of the current Town Centre LEP land use and gross floor area controls ensures that the overall funding strategy for the essential infrastructure is maintained and can be achieved. This strategy is a significant component of the package of controls tied in with the LEP 'deferral' model. Any proposed increase in floor space in the Town Centre and the public domain layout has implications for strategy.

The City undertook a cost review of the essential infrastructure items in the *Green Square Town Centre Infrastructure Strategy 2006* to inform the case for updating the strategy and the extent to which the anticipated contributions from landowners would meet the actual infrastructure costs.

This work was considered by Council in May 2011. Council noted that the CPI is to be used to update the essential infrastructure as it is considered it appropriately reflects the long term cost escalation of a project of the scale of the Town Centre, which is anticipated will evolve over many years.

It is therefore noted that a review of the *Green Square Town Centre Infrastructure Strategy 2006* is not proposed with this Planning Proposal. A holistic review of the strategy may be warranted at a later stage, once development proposals within the Town Centre are further progressed, the staging of development more clearly defined and any potential State Government funding commitments known.

The City will also undertake the update of the infrastructure and public domain Development Applications approved by Council in November 2008. The implications for Council arising from the infrastructure funding and delivery model to ensure potential financial exposure and risks to Council are identified and responsibly managed are also being considered.

Section D – State and Commonwealth Interests

D.1 Is there adequate public infrastructure for the Planning Proposal?

The Town Centre is located at the junction of three significant roads through the southern Sydney area: Botany Road, Bourke Street and O'Riordan Street. These roads provide an essential link between the City, the Airport and Port Botany. The additional capacity of these roads is limited and will be further stretched by the increase in population on the Town Centre. The Town Centre area, however, includes the site of the Green Square Railway Station, in the Airport Link Line.

Transport infrastructure upgrades have been identified in the TMAP to service the Town Centre and the wider Green Square renewal area. The forthcoming TMAP2 will review the transport upgrades. Future investment in infrastructure such as light rail will be supported by the Planning Proposal.

The current and proposed planning scheme for the Town Centre includes the *Green Square Infrastructure Strategy 2006* which identifies the essential infrastructure required to service and facilitate the development of the Town Centre and establishes the 'Development Rights Scheme' mechanism to fund this provision. It is not intended to substantially alter this mechanism for infrastructure funding and provision, beyond amendments resulting from proposed changes to the planning controls.

The public infrastructure identified in the Infrastructure Strategy comprises civil and public domain infrastructure including new streets, substantial public plazas and parks, and stormwater management works. The planning controls will incorporate provision for this infrastructure.

Services and facilities within 5km of the Town Centre include the Royal Prince Alfred and Prince of Wales Hospitals, the Universities of Sydney and NSW and primary and secondary schools.

The development of the current planning scheme for the Town Centre considered the provision of public infrastructure, utilities and essential services in the area. The potential impact that a change in the planning controls may have on this provision were also considered during consultation with the relevant authorities. No additional requirements were identified by these authorities.

It is noted the City intends to update the infrastructure and public domain Development Applications approved by Council in 2008 to reflect the proposed changes to the street and lot layout. As part of this process, the City will undertake further consultation with relevant authorities.

D.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

The Gateway Determination issued by the Department of Planning and Infrastructure on 4 March 2011 requires consultation with the following public authorities:

- Department of Education and Training;
- Office of the Environment and Heritage (formally Department of Environment, Climate Change and Water);
- Department of Housing;
- Department of Local Government;
- Energy Australia;
- NSW Police Service;
- Transport for NSW;
- Rail Corporation of NSW;
- Roads and Maritime Services;
- State Rail;
- State Transit Authority of NSW;
- Sydney Water;
- Transgrid;
- Sydney Airport Corporation
- Commonwealth Department of Infrastructure and Transport
- Commonwealth Department of Regional Australia, Regional Development and Local Government

It is also intend to consult with:

- Botany Council;
- Randwick Council;
- City West Housing;

- Redfern Waterloo Authority/Sydney Metropolitan Development Authority;
- NSW Fire Brigade;
- NSW Health Department.

The responses provided by State and Commonwealth authorities consulted in the above list are shown at Appendix D.

Part 4 – Community Consultation

This Planning Proposal was exhibited from 22 November to 20 December 2011, in accordance with the Gateway Determination.

Notification of the public exhibition was through:

- the City of Sydney website;
- newspapers that circulate widely in the area (*Sydney Morning Herald* and *Central*); and
- in writing to the landowners; the adjoining landowners; community groups; and the surrounding community in the immediate vicinity of the site.

Information relating to the Planning Proposal was made be available on the City of Sydney website and on display at Council locations at:

- Town Hall House, 456 Kent Street, Sydney,
- Redfern, 158 Redfern Street, Redfern, Waterloo Library, 770 Elizabeth Street, Waterloo, and
- the 'Tote Building', 100 Joynton Ave, Victoria Park, Zetland.

Of the twelve submissions received, four were from landowners, three from local residents, and five from local and state authorities. Many of the issues raised were associated with the Draft *Green Square Town Centre Development Control Plan* (Draft Town Centre DCP). Issues raised from the exhibition of the Planning Proposal are:

- Overshadowing to Hansard Street - Detailed design drawings for site 11A and 11B have been submitted by the landowner. The plans have been tested, and additional provisions have been added to the Draft Town Centre DCP to ensure that there is no detrimental impact through overshadowing on the buildings to the south on Hansard Street. The maximum building height is proposed to increase on the northern portion of the site from RL38.7 to RL 39.9, however, the testing has shown that the sun access during mid-winter to rear of the properties on Hansard Street is retained.
- Inconsistencies with the numerical controls and site areas for specific sites - Two submissions identified minor inconsistencies or errors in the site areas, height and FSR controls. The built form controls have been reviewed to ensure they are accurate and consistent across the planning documents. A minor amendment to the street addresses was also made to accurately reflect the Green Square Town Centre area.
- Traffic and Parking - Concern was raised in two submissions about the impact on the local street network of the additional traffic created by the development of the Town Centre. Proposed changes to the planning controls for the Town Centre, including the Landcom/Mirvac/Leighton sites, have enhanced the need to update the TMAP, with a review (TMAP2) currently being led and managed by Transport for NSW.

TMAP2 will focus on the 'Eastern Transit Corridor' which will connect the Green Square Town Centre with neighbourhoods to the east. It will identify how transport can be coordinated and delivered to support the changes in density, which are expected in Green Square. The review will also determine which agencies will be responsible for delivering which services or infrastructure – for example, Transport for NSW will be responsible for public transport related actions.

The Planning Proposal details the maximum number of car parking spaces permitted. This is consistent with the current parking rates under DCP 11, but is less stringent than those contained in the draft *Sydney Local Environmental Plan 2011*. It is intended that these rates will be reviewed as improvements are made to the public transport and connectivity of the Town Centre. This approach is consistent with that taken for the Landcom/Mirvac/Leighton sites Planning Proposal.

In summary it is considered that this Planning Proposal can significantly contribute to the delivery of a town centre that demonstrates how the City's directions for sustainable urban renewal can be achieved, in particular integrating 'green infrastructure', jobs and high density development at a key transport hub in the south of the City. The City's review and assessment has carefully sought to balance the matters raised in submissions and urban design imperatives with the opportunity to provide a catalyst for the development of a high quality Town Centre, new jobs, services and dwellings serviced by appropriate infrastructure.

Appendix A

GREEN SQUARE TOWN CENTRE URBAN
DESIGN PRINCIPLES, NOVEMBER 2010

GREEN SQUARE TOWN CENTRE URBAN DESIGN PRINCIPLES

October 2011

Council is undertaking a review of the whole of the Green Square Town Centre planning framework and has developed a series of urban design principles to guide development and assessment of planning options.

The principles are divided into three categories:

1. The Public Domain
2. Uses
3. Built Form

THE PUBLIC DOMAIN

Create high quality and amenity public open spaces and ensure that they are designed to support a range of activities and functions



- Provide a principal gathering space within the plaza area approximately 40-45m wide by at least 45m long. This space should be designed to support major community events
- Ensure that the plazas have reasonable solar access in mid-winter, and that sitting and dining areas on the southern side of the plaza are predominantly in sun at lunchtime in mid-winter (i.e. full sunshine between 12.00-2.00pm across a 4m wide strip along the full length of the south-side of the plaza)
- Ensure that Shea's Park is a minimum of 5,500 square meters in size
- Ensure Shea's Park is predominantly in sun between 10am and 2pm in mid-winter (i.e. at least 50% of the park area)
- Provide pedestrian priority within and surrounding the plazas and parks

Create a fine grain, connected and legible pedestrian priority public domain network


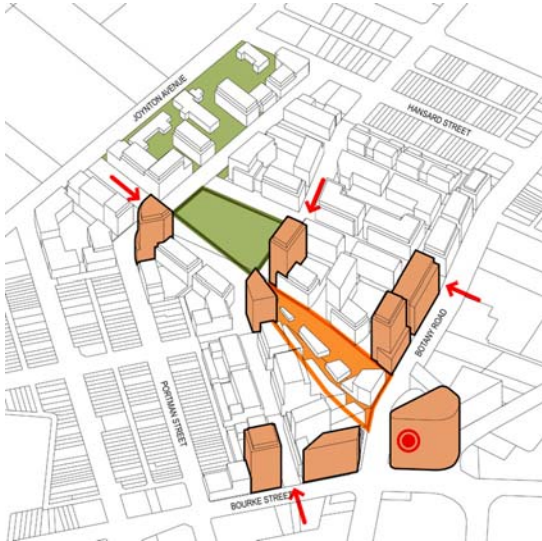
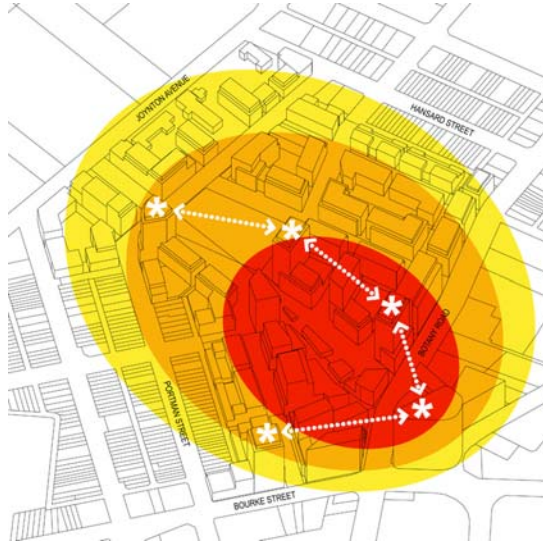


- Create a fine grain legible pedestrian priority network of public open spaces, streets, lanes and through site links
- Create clear and direct east/west pedestrian connections through the town centre from Botany Road to Joynton Avenue
- Align new streets, lanes and pedestrian connections with the existing local streets and lanes
- Ensure all streets have wide footpaths and cycleways (where appropriate) to provide pedestrians and cyclists with good amenity and safety
- Minimise the impact of vehicular crossings on pedestrian footpaths
- Limit vehicular movements through the plazas (except for public transit)

Create views along streets that maximise the legibility of the layout of the town centre

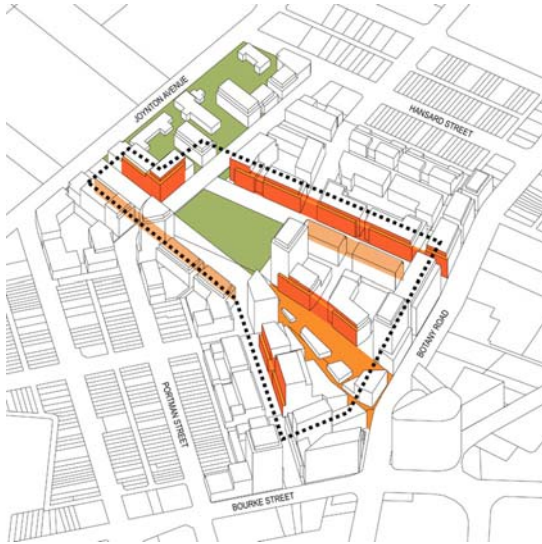


- Maximise the number of street views that cross or terminate at the plazas, parks and/or train station
- Ensure a spacious and open quality to the public domain by street vistas generally having low angle views of the sky

USES	BUILT FORM	
<p>Create a vibrant town centre that provides a diverse range of retail, food & beverage, service and community uses and a mix of commercial and residential uses</p>  <ul style="list-style-type: none"> • Ensure all street and new lane frontages are lined with shops, cafes and businesses to achieve a highly active public domain • Provide retail, food & beverage and community uses at ground level around the plazas • Provide retail or commercial uses on first floors facing high pedestrian or vehicular access frontages including Zetland Avenue, Geddes Avenue and Paul Street • Ensure residential uses are adequately separated/elevated above sources of noise like the plazas and high traffic roads • Where tenancies are located in the public domain they are to be on public land and subject to management controls by Council to ensure long term public control and flexibility of use for the public domain 	<p>Distribute building heights with taller buildings at key locations in the town centre</p>  <ul style="list-style-type: none"> • Locate towers around the entries to the town centre, train station, plazas and main boulevard 	<p>Design buildings to ensure reasonable levels of amenity for existing and future residents</p>  <ul style="list-style-type: none"> • Provide a height transition between buildings in the town centre to the lower scale buildings in the surrounding neighbourhoods • Provide significant separation between tall buildings especially residential towers (generally 60m separation unless offset)

BUILT FORM (continued)

Design buildings to minimise their visual bulk when viewed from the public domain



- Create a characteristic built form within the town centre of "street wall" buildings that define the public domain by fronting streets and having a limited street frontage height of 8 storeys with additional height set back.
- Locate tall buildings (above 9 storeys) on main streets, the plazas and adjacent to the park

BUILT FORM COMPARISON

A built form comparison of the current planning controls and the Planning Proposal sites is shown in the figures below. (*Note: the above diagrams indicate the number of storeys only and exclude roof forms, plant room and lift overruns etc.*)



Current Planning Controls

Note: building heights are in storeys detailed on each building

Buildings shaded in dark grey relate to the Landcom/Mirvac/Leighton sites and reflect the current planning controls, not what was exhibited from 16 September – 3 October 2011).

Buildings annotated with a 'C' are for commercial uses



Proposed Planning Controls

Note: building heights are in storeys detailed on each building

Buildings shaded in dark grey relate to the Landcom/Mirvac/Leighton Planning Proposal, (exhibited 16 September – 3 October 2011).

Buildings annotated with a 'C' are for commercial uses

Appendix B

LEP PROVISIONS DRAFTING ADVICE - CITY OF SYDNEY

APPENDIX B: LEP Provisions Drafting Advice

Planning Proposal: Sydney Local Environmental Plan 2010 (Green Square Town Centre) – Sites 301-303 Botany Road; 501 Botany Road; 509 Botany Road; 3 Joynton Avenue; 511-515 Botany Road; 97-115 Portman Street; 811 Elizabeth Street; Zetland; 312-318 Botany Road; 320 -322 Botany Road; 324 Botany Road; 318A Botany Road; 6-12 O’Riordan Street; and 2A Bourke Road, Alexandria

Clause	Name	Drafting Instruction
Part 1		
1.1	Name of the Plan	The name of the plan is the Sydney Local Environmental Plan 2011 (Green Square Town Centre) – Sites 301 Botany Road; 501 Botany Road; 509 Botany Road; 3 Joynton Avenue; 511-515 Botany Road; 97-115 Portman Street; 811 Elizabeth Street; Zetland; 312-318 Botany Road; 320 Botany Road; 324 Botany Road; 318A Botany Road; 6-12 O’Riordan Street; and 2A Bourke Road, Alexandria
1.2	Aims of the Plan	<p>(1) This plan aims to make local environmental planning provisions for land in the City of Sydney known as Green Square Town Centre.</p> <p>(2) The particular aims of the plan are:</p> <p class="margin-left: 40px;">(a) to foster the environmental, economic, social and cultural well-being of the Green Square Urban Renewal Area by encouraging the establishment of Green Square Town Centre as the major commercial, retailing, cultural and entertainment centre for Green Square.</p> <p class="margin-left: 40px;">(b) to allow for a mix of land uses that will:</p> <p class="margin-left: 80px;">1. provide an appropriate balance between residential, retail, commercial and other land uses within the Green Square Town Centre; and</p> <p class="margin-left: 80px;">2. encourage the provision of a range of services and facilities to help meet the needs of the population and users of the Green Square Town Centre; and</p> <p class="margin-left: 80px;">3. generate employment in the Green Square Town Centre; and</p> <p class="margin-left: 80px;">4. establish a significant new people-oriented public town square and other vibrant public plazas and public spaces, and</p> <p class="margin-left: 40px;">(c) to deliver environmental planning outcomes and benefits to the public and owners of land within the Green Square Town Centre that are significantly superior to those likely to result from development of the land in accordance with local environmental planning instruments that earlier applied to that land;</p>

Clause	Name	Drafting Instruction
		(d) to accommodate and integrate the management of stormwater (including floodwater) into the function and design of buildings and the public domain in the Green Square Town Centre;
		(e) to encourage the provision of a high-quality, safe and functional public domain, ensure high-quality building design, that provides an enhanced amenity and quality of life for the local community;
		(f) to ensure that the public domain of the Green Square Town Centre is fronted by high-quality buildings having a scale and alignment that both define and contribute positively to the amenity of, the public spaces (including parks, plazas and streets) they adjoin;
		(g) to maximise the use of public transport, walking and cycling by integrating land uses, access to public transport and services and the provision of on-site parking;
		(h) to ensure that development is designed so as to promote the vitality of the public domain by providing active frontages to streets and other identified public spaces; and
		(i) to allow the equitable access to, within and across the Green Square Town Centre for pedestrians, cyclists, public transport and other vehicles.
1.3 – 1.6	Various	The standard instrument clause is adopted.
1.7	Maps	The standard instrument clause is adopted.
1.8	Repeal of other local planning instruments applying to land	The standard instrument clause is adopted. South Sydney Local Environmental Plan 1998
1.8A	Savings Provision	The standard instrument model clause is adopted.
1.9	Application of SEPPs and REPs	The standard instrument clause is adopted.
Part 2		
2.1	Land Use Zones	The land use zone under the plan is: B4 Mixed Use
		The Land Use Table is as follows:
		1 Objectives of zone

Clause	Name	Drafting Instruction
		<ul style="list-style-type: none"> To provide a mixture of compatible land uses. To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling. To ensure uses support the viability of centres.
		2 Permitted without consent Home occupations.
		3 Permitted with consent Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Shop top housing; Any other development not specified in items 2 or 4
		4 Prohibited Extractive industries; Hazardous industries; Hazardous storage establishments; Heavy industries; Offensive industries; Offensive storage establishments; Timber and Building Supplies.
		B3 Commercial Core
		1 Objectives of zone <ul style="list-style-type: none"> To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community. To encourage appropriate employment opportunities in accessible locations. To maximise public transport patronage and encourage walking and cycling.
		2 Permitted without consent Horticulture.
		3 Permitted with consent

Clause	Name	Drafting Instruction
		<p>Backpackers' accommodation; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Light industries; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Any other development not specified in items 2 or 4</p> <p>4 Prohibited</p> <p>Agriculture; Air transport facilities; Airstrips; Boat launching ramps; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Environmental protection works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Freight transport facilities; Forestry; Helipads; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Industrial retail outlets; Industries; Jetties; Manufactured home estates; Mortuaries; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Residential accommodation; Restriction facilities; Rural industries; Rural supplies; Sex service premises; Sewerage systems; Storage premises; Timber and building supplies; Tourist and visitor accommodation; Transport depots; Truck depots; Wholesalesupplies; Vehicle repair stations; Vehicle body repair workshops; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water supply systems.</p> <p>SP2 Infrastructure</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> To provide for infrastructure and related uses. To prevent development that is not compatible with or that may detract from the provision of infrastructure. <p>2 Permitted without consent</p> <p>Horticulture</p>

Clause	Name	Drafting Instruction
3 Permitted with consent		
Roads; Waste management facilities; water storage facilities; Water treatment facilities; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose.		
4 Prohibited		
Any development not specified in item 2 or 3		
2.2 – 2.6	Various	The standard instrument clauses are adopted.
2.6AA	Demolition requires consent	The standard instrument model clause is adopted.
2.6BB	Temporary Use of Land	The standard instrument model clause is adopted.
Part 3		
3.1 – 3.3	Various – Exempt and complying development	The standard instrument clause is adopted.
Part 4		
4.1	Minimum Subdivision Lot Size	This clause will not be used in the Plan.
4.2	Rural subdivision	This clause will not be used in the Plan.
4.3	Height of Buildings	<p>The objectives of clause 4.3 are:</p> <p>(1) to ensure the height of development is appropriate to the condition of the site and its context;</p> <p>(2) to provide a characteristic built form of “street walls” that defines the public domain and lessens the visual impact of development from public places including streets, plazas and parks;</p> <p>(3) to ensure appropriate height transitions between new development and heritage items and buildings in heritage conservation areas;</p> <p>(4) to ensure the sharing of views;</p> <p>(5) to ensure appropriate height transitions from Green Square Town Centre to adjoining areas;</p>

Clause	Name	Drafting Instruction
		(6) to ensure the amenity of the public domain by restricting taller buildings to only part of a site; and
		(7) to ensure the built form contributes to the physical definition of the street network and public spaces.
4.4	Floor space ratio	The clauses in the draft <i>Sydney Local Environmental Plan 2011</i> will be adopted.
4.5	Calculation of floor space ratio	The standard instrument clause is adopted.
4.6	Exceptions to development standards	The standard instrument clause is adopted.
Part 5		
5.1	Relevant acquisition authority	The standard instrument clause is adopted.
5.2	Classification and reclassification of public land	The standard instrument clause is adopted.
5.4	Controls relating to miscellaneous permissible uses	The clauses in the draft <i>Sydney Local Environmental Plan 2011</i> will be adopted.
5.5	Development within the coastal zone	This clause will not be used in the plan.
5.7	Development below mean high water mark	This clause will not be used in the plan.
5.8	Conversion of fire alarms	The standard instrument clause is adopted.
5.9	Preservation of trees or vegetation	The standard instrument clause is adopted.
5.10	Heritage Conservation	The standard instrument clause is adopted.
5.11	Bush fire hazard reduction	The standard instrument clause is adopted.
5.12	Infrastructure development and use of existing buildings of the Crown	The standard instrument clause is adopted.
Part 6		
6.21	Design Excellence	The clauses in the draft <i>Sydney Local Environmental Plan 2011</i> will be adopted:
Division 4		Planning Purpose: To encourage a higher standard of building design by offering developers up to 10%

Clause	Name	Drafting Instruction
		<p>additional floorspace for undertaking a competitive design process. The 10% additional floorspace is to be calculated on a pro rata basis that reflects the proportion of the development site the subject of the competitive design process in relation to the total developable site area (excluding land to be dedicated for streets and public open space).</p> <p>Additional GFA accessed through design excellence must not result in any additional height or overshadowing of the public domain.</p>
Part 7		
7.1 Division 1	Car parking ancillary to other development	<p>New local provision that restricts the number of ancillary car spaces that can be provided in a development.</p> <p>Planning Purpose: to identify the maximum number of parking spaces ancillary to a development that may be provided in the development to reduce the external impacts of private vehicle use.</p> <p>(1) The objectives of the clause are:</p> <ul style="list-style-type: none"> (a) to identify the maximum number of car spaces that may be provided to service particular uses of land; and (b) to minimise the amount of vehicular traffic generated by a proposed development. <p>(2) The maximum amount of car parking spaces is as follows:</p> <ul style="list-style-type: none"> (a) Residential flat buildings, dual occupancies and multi-dwelling housing: <ul style="list-style-type: none"> (i) for each studio dwelling—0.5; and (ii) for each 1 bedroom dwelling—0.5; and (iii) for each 2 bedroom dwelling—0.8; and (iv) for each 3 or more bedroom dwelling—1.2. (b) Office premises and business premises 1 for every 125 square metres. (c) Retail premises: <ul style="list-style-type: none"> (i) small shops—1 for every 50 square metres; (ii) supermarkets—survey-based assessment. (d) Child care centres—1 for every 4 staff, and one space for every 8 children for parents drop off and pick up.

Clause	Name	Drafting Instruction
		<p>(e) Information and education facilities—1 for every 200 square metres of the gross floor area of the building that is used for that purpose.</p> <p>(f) Health consulting rooms and medical centres—2 for every effective full time doctors.</p> <p>(g) Places of public worship and entertainment facilities—whichever of the following is the greater:</p> <ul style="list-style-type: none"> (i) 1 car parking space for every 10 seats; or (ii) 1 car parking space for every 30 square metres of the gross floor area of the building that is used for one of those purposes. <p>(h) Warehouse or distribution centres—1 for every 300 square metres of gross floor area.</p> <p>(i) Industry— 1 for every 100 square metres of gross floor area.</p> <p>(j) Serviced apartments and hotel or motel accommodation:</p> <ul style="list-style-type: none"> (i) 1 car parking space for every 4 bedrooms up to 100 bedroom; and (ii) 1 car parking space for every 5 bedrooms more than 100 bedrooms. <p>(k) Bulky Goods Retail Stores—survey-based assessment</p> <p>3) Development for the purpose of residential flat buildings, dual occupancies and multi-dwelling housing may provide car parking spaces in addition to the maximum permitted in subclause (2) up to a maximum of:</p> <ul style="list-style-type: none"> (a) 1 space per five dwellings for the first 30 dwellings; plus (b) 1 space per eight dwellings for the next 40 dwellings; plus (c) 1 space per 15 dwellings for all dwellings in excess of 70 dwellings. <p>but only where any additional car parking spaces are reserved as time-limited parking for the exclusive use of people visiting residents of the residential accommodation.</p> <p>(4) For the purposes of this clause:</p> <p>car parking space means a space intended to be used for the parking of cars that is ancillary to another land use on the site but does not include any of the following:</p> <ul style="list-style-type: none"> (a) a place primarily used for the purpose of washing vehicles; (b) a place primarily used for the purpose of loading or unloading of goods; (c) a place primarily used for the purpose of storing bicycles;

Clause	Name	Drafting Instruction
		(d) a car parking space in a car park.
Model Clause 7.18	Airspace Operations	The standard instrument model clause is adopted
Model Clause 7.19	Development in Areas Subject to Aircraft Noise	The standard instrument model clause is adopted
7.14-15 Division 3	Affordable Housing	The clauses in the draft <i>Sydney Local Environmental Plan 2011</i> that apply to the Green Square Urban Renewal Area will be adopted.
Division 4	Miscellaneous	
7.16	Acid Sulfate Soils	The standard instrument model clause is adopted.
7.20	Car Parks	The clauses in the draft <i>Sydney Local Environmental Plan 2011</i> will be adopted.
7.17	Flood planning	The standard instrument model clause is adopted.
		In the clause Flood planning level means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard or a specific freeboard established for the land under the <i>Green Square Flood Risk Management Plan</i> .
7.25	Land Use and Infrastructure	<p>(1) The objective of this clause is to ensure that development on land occurs in a logical and cost-effective manner, in accordance with a staging plan, and to a scale and type that is matched by supporting essential infrastructure.</p> <p>(2) This clause is to apply to all development and includes the subdivision of land and construction of a new building.</p> <p>(3) The clause is to require that development consent not be granted to development to which the clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) a staging plan has been prepared for the timely and efficient development of land making provision for necessary infrastructure and sequencing; (b) the proposed development satisfies the infrastructure requirements in the <i>Green Square Town Centre Infrastructure Strategy</i>, and (c) the infrastructure that is essential for the proposed development is available or can be made available when required. <p>(4) The clause is not to apply to:</p> <ul style="list-style-type: none"> (a) a subdivision for boundary realignment that does not create new lots, or

Clause	Name	Drafting Instruction
		(b) a subdivision that creates a new lot to be reserved or dedicated for public open space or a public road.
Model Clause 7.26	Active Frontages	The standard instrument model clause is adopted
7.27	Public Utility Infrastructure	The standard instrument model clause is adopted.
Schedules		
Schedule 1	Additional Permitted Uses	No items to be added to this schedule
Schedule 2	Exempt Development	Adopt as per standard instrument
Schedule 3	Complying Development	Adopt as per standard instrument
Schedule 4	Classification and reclassification of public land	No land is to be reclassified
Schedule 5	Environmental Heritage	<p>The Former Royal South Sydney Hospital Group at 3 Joynton Avenue, Zetland NSW 2017, Lot 1 DP 136025. Buildings:</p> <ul style="list-style-type: none"> • Administration Building, Queen Anne Style Building, 1913, with later alterations and additions; • Pathology Building, single storey building to Joynton Avenue, 1913; • Outpatients Building, single storey Inter-War Georgian Revival Style building c1935; • Nurses Home (eastern wing), three storey Inter-War Georgian Revival style building; • brick and sandstone boundary fence to Joynton Avenue, 1913; and • landscaped area fronting Joynton Avenue between the Nurses Home and Pathology Building, including significant trees and open landscaped areas around the buildings.

Appendix C

LEP MAPS – CITY OF SYDNEY

**Sydney Local
Environmental Plan
2010 (Green Square
Town Centre) Sites**
2A Bourke Road,
6-12 O'Riordan Street,
301-303 Botany Road
312-318 Botany Road,
318A Botany Road,
320-322 Botany Road,
324 Botany Road,
501 Botany Road,
509 Botany Road,
511-515 Botany Road,
97-115 Portman Street,
811 Elizabeth Street,
3 Joynton Avenue

Land Application Map

Land Application

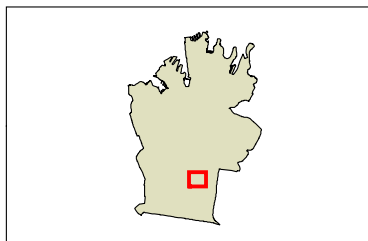


LEP Included

Cadastral



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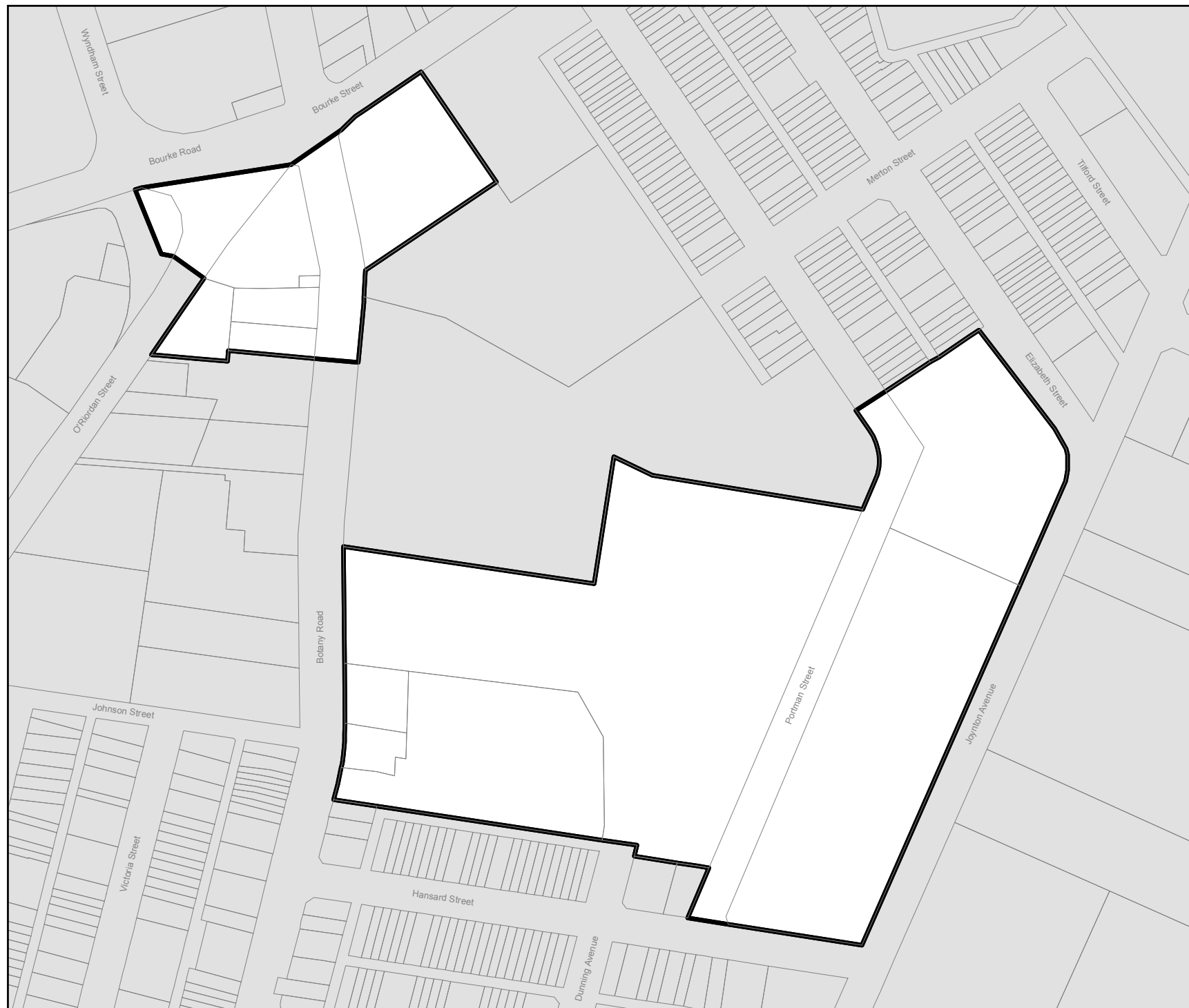


Projection: GDA 1994
Zone 56

0 60 Metres

Scale: 1:3,000 @ A4

Map identification number:
7200_HP_LZN_001_20110105



**Sydney Local
Environmental Plan
2010 (Green Square
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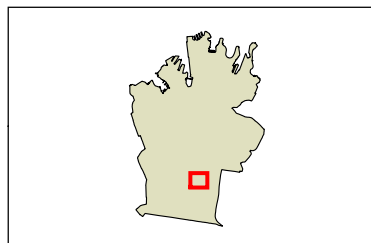
Active Frontages Map

Active Frontages

— Active Frontage

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— Cadastre 01/03/2012 © City of Sydney

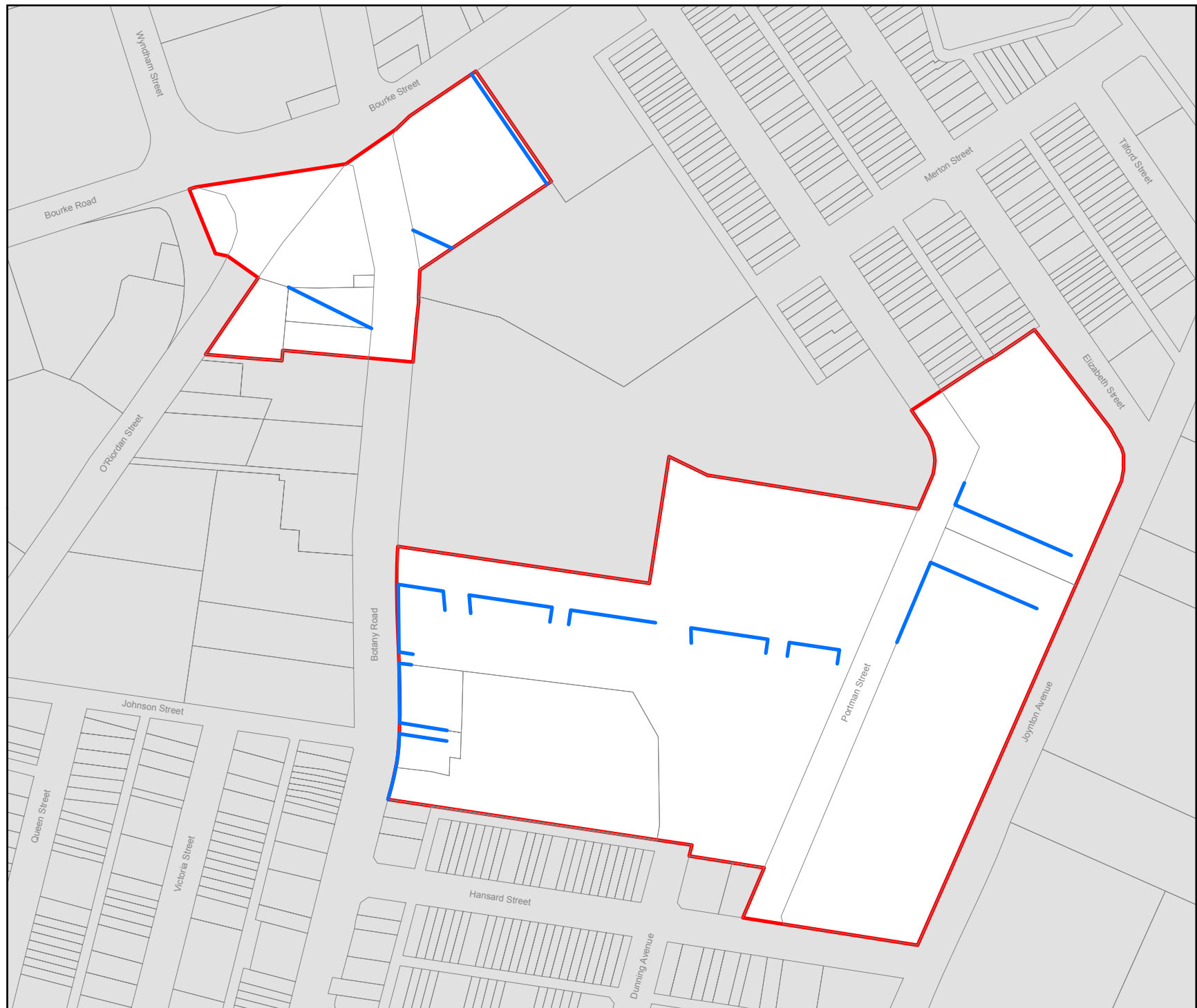


0 60 Metres

Scale: 1:3,000 @ A4

Projection: GDA 1994
Zone 56

Map identification number:
7200_HP_H08_001_20120301





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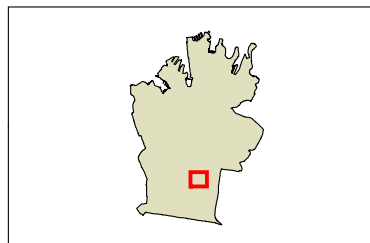
Acid Sulfate Soils Map

Acid Sulfate Soils

- Class 1
- Class 2
- Class 3
- Class 4
- Class 5

Cadastre

Cadastre 05/01/2011 © City of Sydney

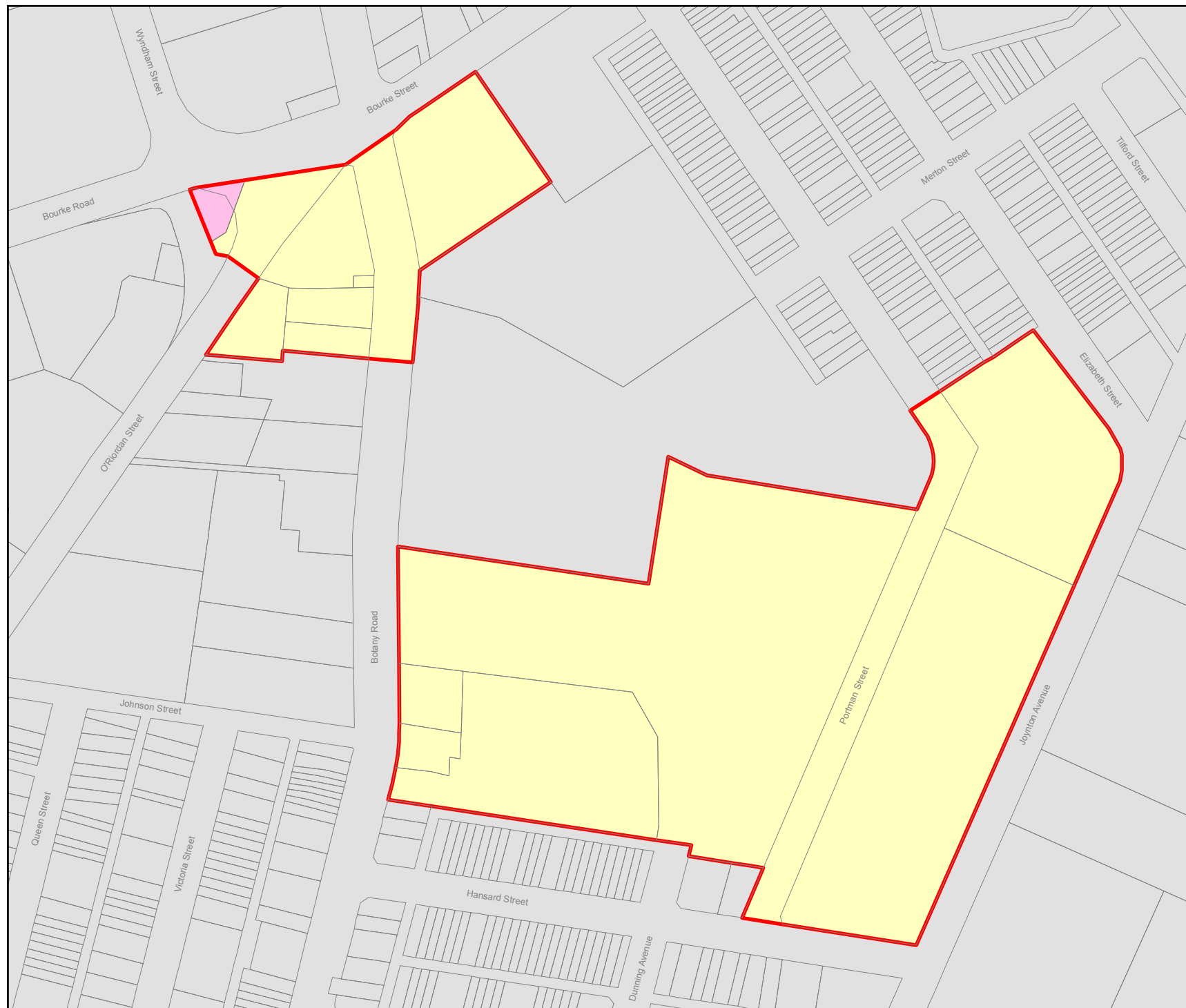


Projection: GDA 1994
Zone 56

0 60 Metres

Scale: 1:3,000 @ A4

Map identification number:
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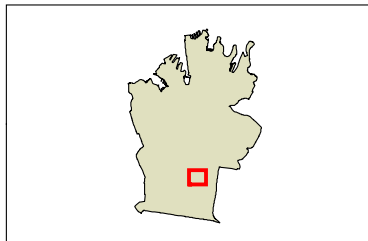
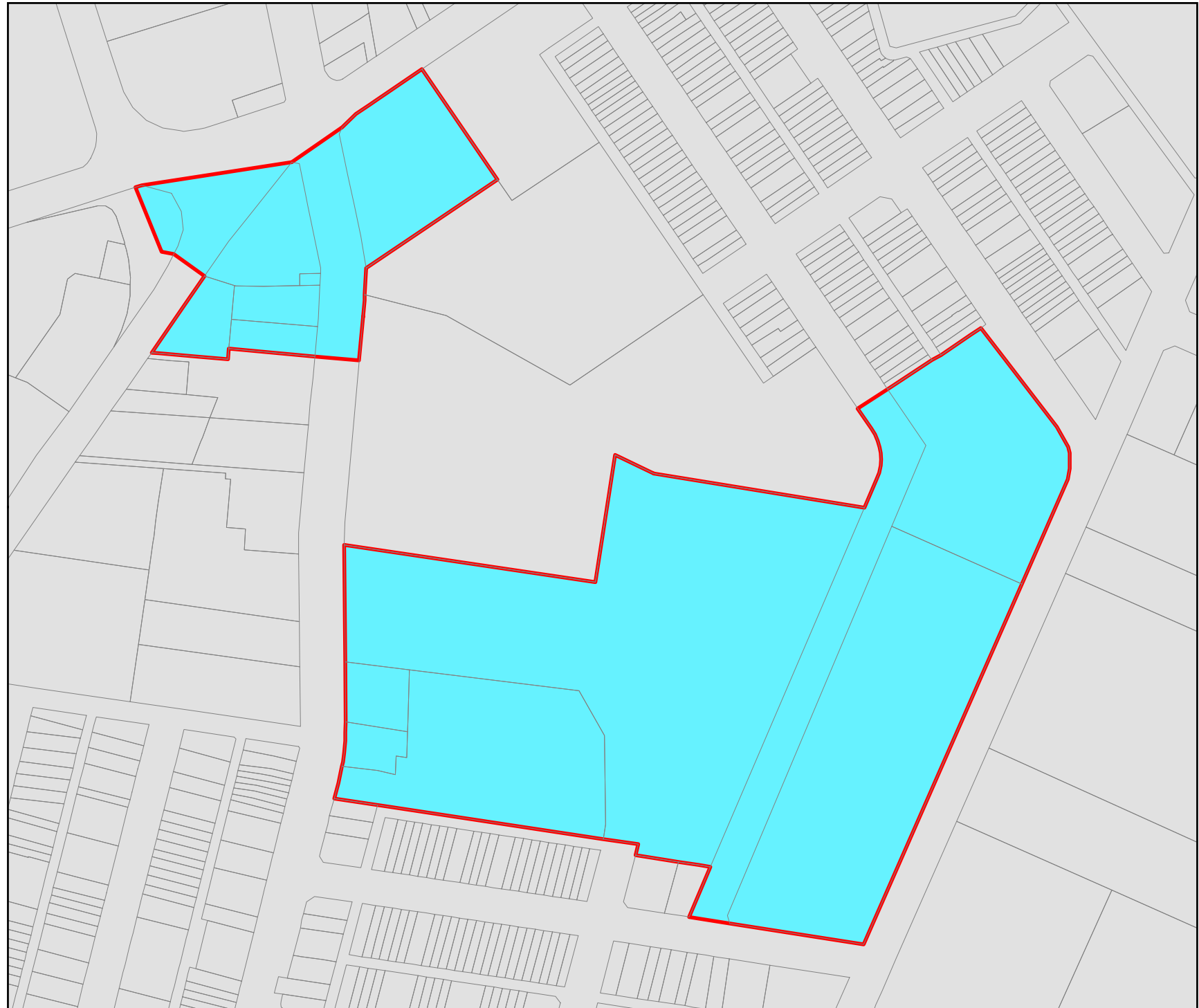
Flood Planning Map

Flood Planning

 Flood Planning Area

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 Cadastral 05/01/2011 © City of Sydney



0 60 Metres

Projection: GDA 1994
Zone 56

Scale: 1:3,000 @ A4

Map identification number:
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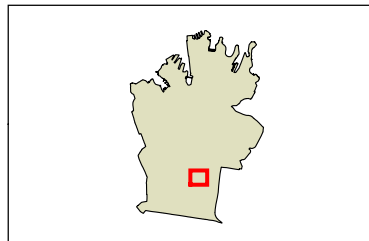
Floor Space Ratio Map

Maximum Floor Space Ratio (n:1)

S1	1.81
S2	1.86
T1	2.16
T2	2.31
W	3.64
Z	5.56
AA1	6.35
AA2	6.55
AB	7.64
AF	11.54

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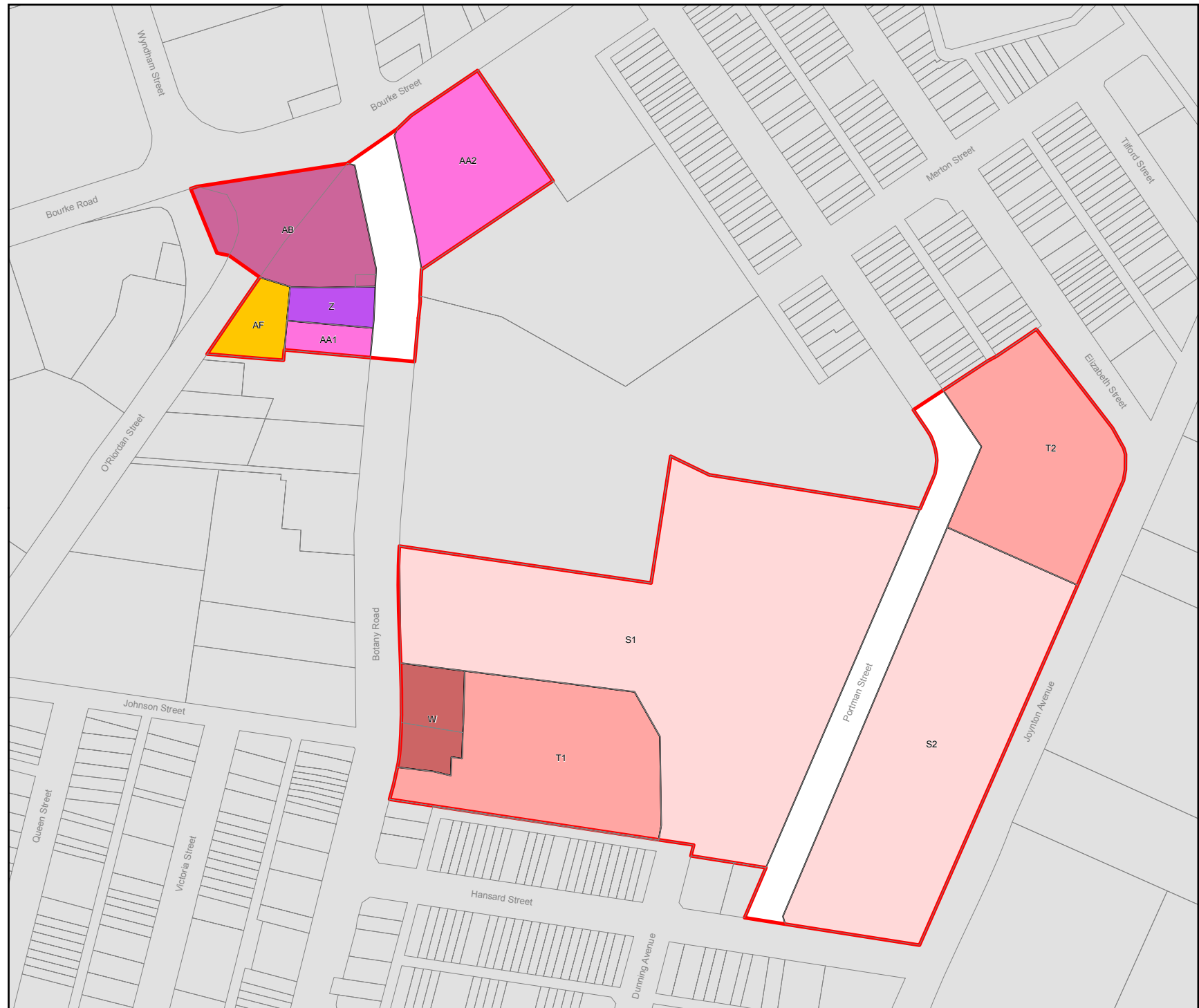


Projection: GDA 1994
Zone 56

0 60 m

Scale: 1:3,000 @ A4

Map identification number:
7200_HP_LZN_001_20120427



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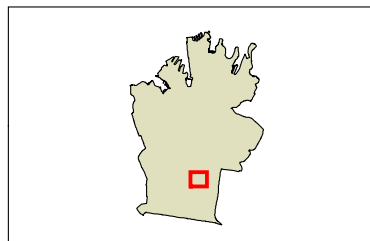
Heritage Map

Heritage

Item - General

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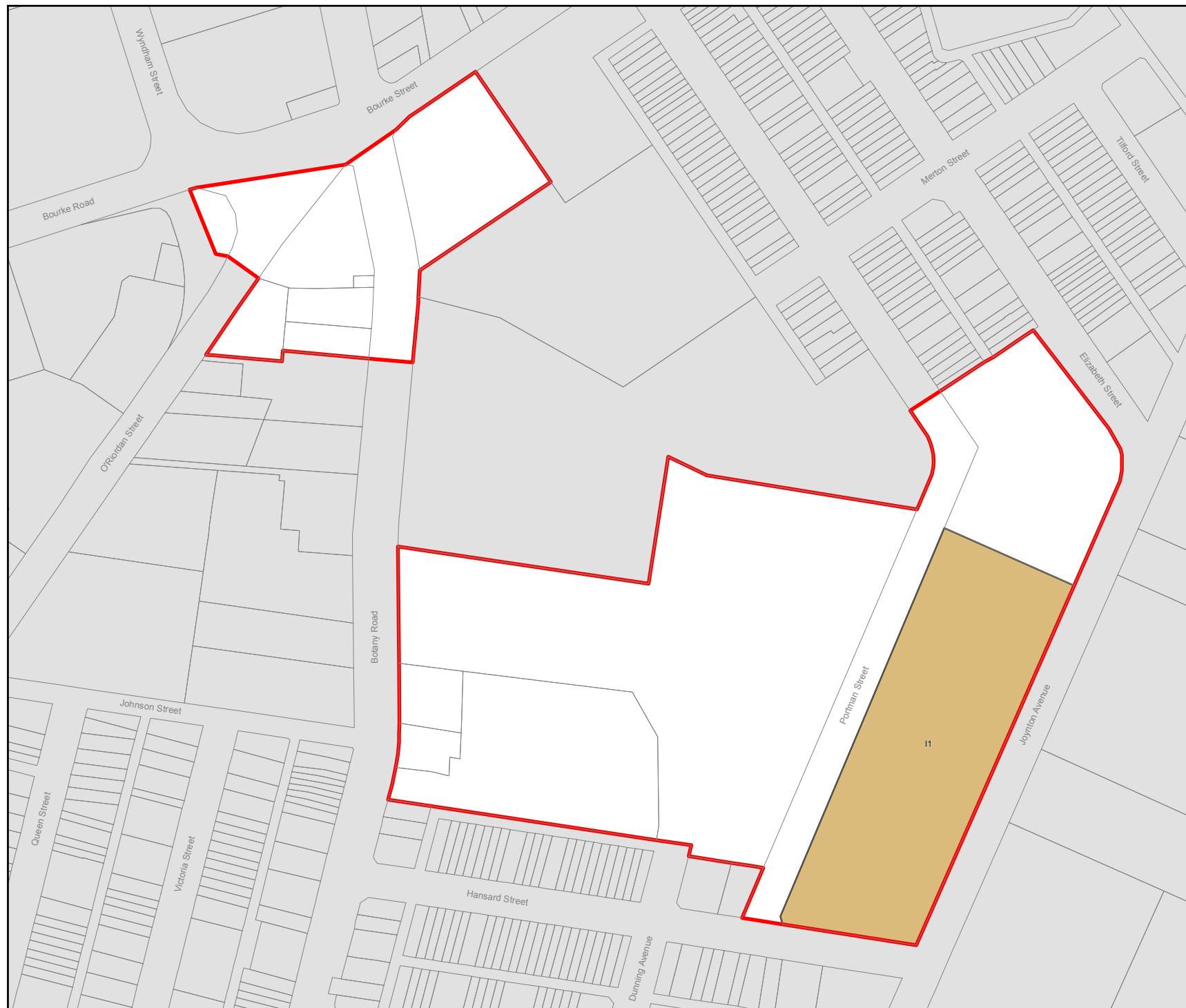


Projection: GDA 1994
Zone 56

0 60 Metres

Scale: 1:3,000 @ A4

Map identification number:
7200_HP_LZN_001_20110105



Height of Building Map

Maximum Height of Building (m)

Specific RLs

Cadastre

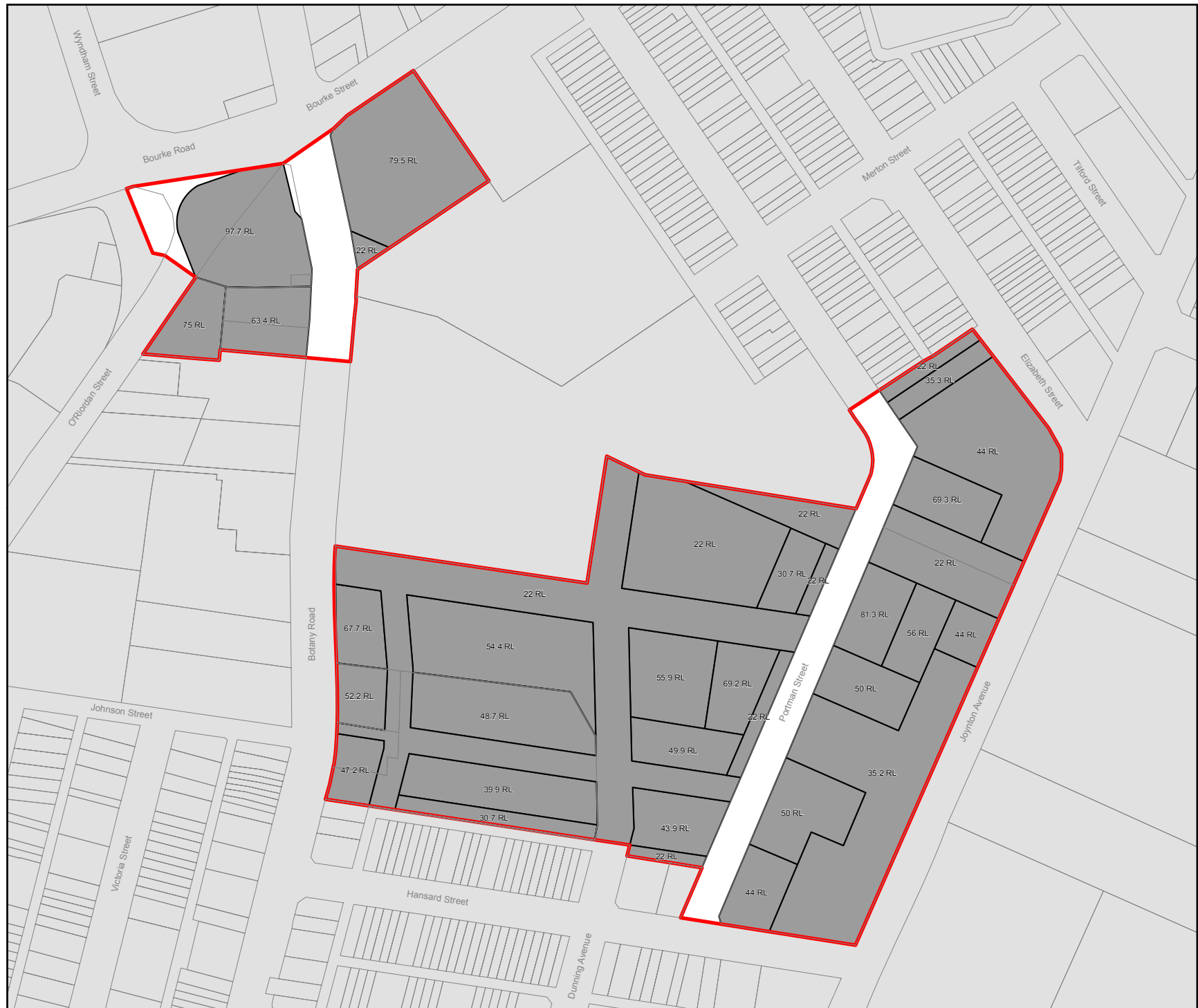
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Projection: GDA 1994
Zone 56

Scale: 1:3,000 @ A4


Map identification number:
7200_HP_LZN_001_20120427




Sydney Local Environmental Plan 2010 (Green Square Town Centre) Sites
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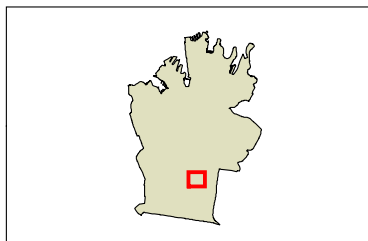
Land Reservation Acquisition Map

Land Reservation Acquisition

 Land Acquisition

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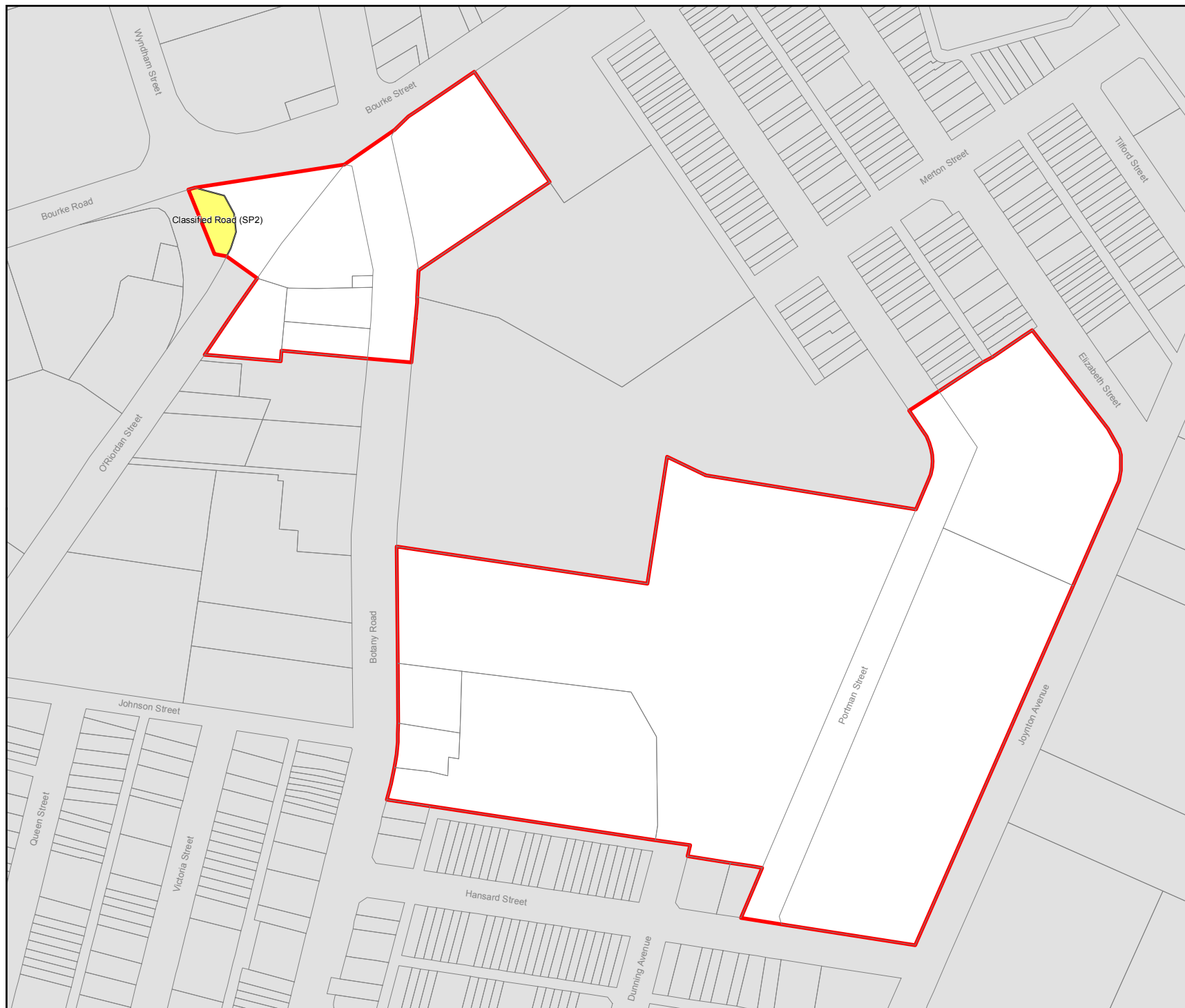


Projection: GDA 1994
Zone 56

0 60 Metres

Scale: 1:3,000 @ A4

Map identification number:
7200_HP_LZN_001_20110105





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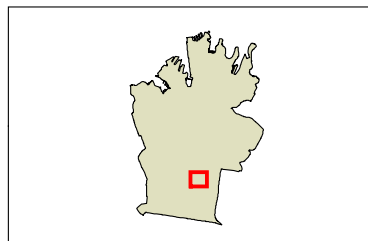
Land Use Zoning Map

Zone

- B3** Commercial Core
- B4** Mixed Use
- SP2** Infrastructure

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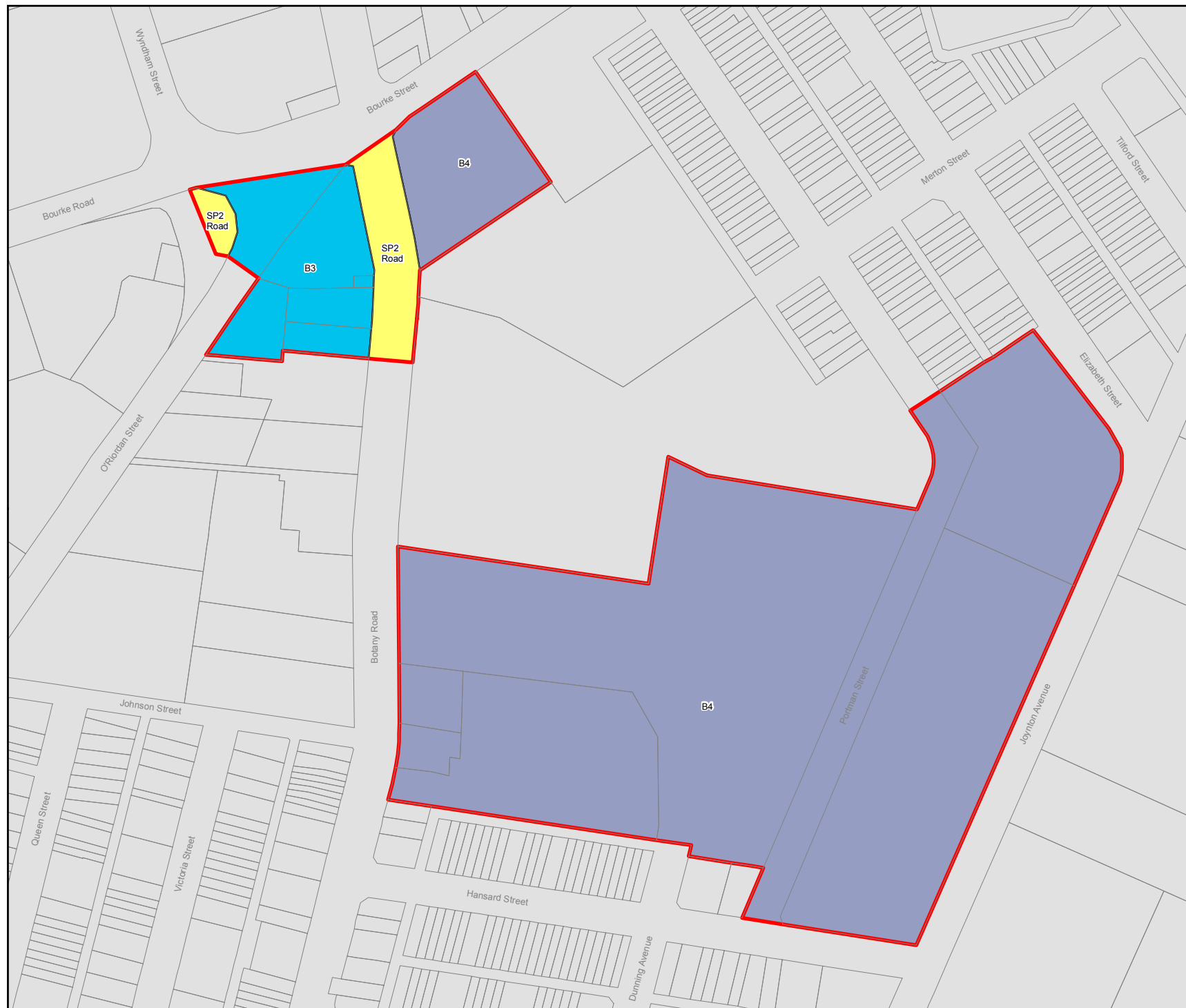


0 60 Metres

Scale: 1:3,000 @ A4

Projection: GDA 1994
Zone 56

Map identification number:
7200_HP_LZN_001_20110105



Appendix D

PUBLIC EXHIBITION OF GREEN SQUARE TOWN CENTRE PLANNING PROPOSAL – SUBMISSIONS AND THE CITY'S RESPONSE

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

(sites 301 Botany Road, 501 Botany Road, 509 Botany Road, 3 Joynton Avenue, 511-515 Botany Road, 97-115 Portman Street, 811 Elizabeth Street, Zetland; 312-318 Botany Road, 320 Botany Road 324 Botany Road, 318A Botany Road, 6-12 O'Riordan Street, and 2A Bourke Road, Alexandria)

Submitter	Issue Heading	Details	Response
1. Housing NSW and Department of Finance and Services (Housing and Property Group)	Affordable Housing	Encourages the provision of affordable housing and housing for a range of household types and sizes within Green Square.	Noted
		Recognises and supports the provision for affordable housing contributions in accordance with the <i>Green Square Affordable Housing Scheme</i> , however, a more detailed affordable housing strategy should be drafted in consultation with Council, developers and providers.	The <i>Green Square Affordable Housing Scheme</i> is one component of the City's <i>Affordable Rental Housing Strategy 2009-2014</i> . The Strategy follows <i>Sustainable Sydney 2030</i> directions. It sets objectives and actions which the City is pursuing through various mechanisms, identified in the City's Corporate Plan and Operational Plan.
		Housing NSW favours a delivery approach to housing contributions arising from the development to ensure affordable housing is integrated into the Town Centre.	Noted. The City favours this approach also. The City is progressing negotiations with City West Housing for the sale of a portion of the former Royal South Sydney Hospital site to deliver close to 100 affordable rental housing units.
	Street Network	Support for the more fine grain street network pattern and public domain layout.	Noted.
	Adaptable dwelling mix	Support for the adaptable dwelling mix design criteria and encouragement of flexible housing and dwelling mix.	Noted.
	Zoning and built form controls	Due to the development's strategic location, support for the flexibility of mixed land uses and proposed floor space and height controls.	Noted.
2. City of Botany Bay Council	Traffic	Concern about the FSRs proposed through the Planning Proposal and the impact on the road capacity in the City to Airport corridor. The Planning Proposal should be deferred until both the Mascot and <i>Green Square Traffic Management and Accessibility Plan</i> (TMAP) are completed and the cumulative impact of traffic can be assessed.	The TMAP was completed in 2008 and is currently being reviewed (TMAP 2) in light of changes to the area since this time, including the removal of the station access fee. The TMAP will inform the delivery of public transport towards achieving the 'No-Car Growth' scenario. The Botany Road Action Plan Study will further determine key priorities for the future planning of the corridor, intervention measure and funding. It is not considered necessary to defer the Planning Proposal whilst this work is being undertaken.
3. Transport for NSW	TMAP and Botany Road Corridor Action Plan	The Draft DCP and Planning Proposal should reflect both the TMAP update (to be released in late January 2012) and the Botany Road Corridor Action Plan (awaiting release).	Both these documents have not yet been released. Once the outcomes of the studies are assessed, amendments will be made through formal amendments to the documents, if required.

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

(sites 301 Botany Road, 501 Botany Road, 509 Botany Road, 3 Joynton Avenue, 511-515 Botany Road, 97-115 Portman Street, 811 Elizabeth Street, Zetland; 312-318 Botany Road, 320 Botany Road 324 Botany Road, 318A Botany Road, 6-12 O'Riordan Street, and 2A Bourke Road, Alexandria)

	Car parking	Requests that triggers and mechanisms for removing or adapting car parking be clearly defined and provision be reviewed either at regular intervals or when a new service or improvement is delivered. Seeks Council's commitment that when all planning development is completed and transport delivered then car parking spaces will total no more than 1,953 as identified in the Planning Proposal when applying Draft City Plan LEP car parking rates.	As the car parking provisions are contained within the Planning Proposal for inclusion in an LEP, an amendment to the LEP will be required to amend the provisions. As the public transport to the area improves, the City intends to monitor car parking demand and update/tighten the car parking rates in the Planning Proposal in line with the City Plan. Strategies/incentives for adapting car parking may also be explored.
	Land acquisition	Where land is highlighted as affected by a Road Widening Order under Section 25 of the Roads Act 1993, Council must ensure that no new buildings or structures are erected on the land without the concurrence of the Roads and Maritime Service (RMS).	Noted. This comment refers to the site allocated for the realignment of O'Riordan Street at the junction with Bourke Road, known as 2A Bourke Road.
	Intersections and road treatments	<p>The majority of traffic controls signals (TCS) indicated on the Transport Structure Plan are supported. This in-principle support is subject to detailed investigations to ascertain the meeting of necessary warrants and appropriateness of design. However the one proposed at the intersection of Bourke Street and Dunning Avenue is not supported.</p> <p>Any new local street connection to classified roads not controlled by TCS are to be left-in left-out only.</p> <p>Pedestrian and bicycle movements to and from Green Square station are likely to substantially increase and Council will need to work with RMS to provide adequate pedestrian crossing facilities.</p> <p>Any changes to traffic signals, speed limits or reduction in travel lanes on Regional Roads are to be approved by RMS and proposed shared zones are to be in accordance with RMS standards.</p>	<p>Noted. Bourke/Dunning Streets signals are no longer required. Left-in-left out arrangements will be put in place instead. Signals are likely to be required at the junction of Bourke/Portman/George Streets for the cycleway.</p> <p>It is agreed that crossing movements will increase significantly to and from Green Square station. However, the City does not support installation of fences etc. to funnel pedestrians, particularly with the pedestrian volumes anticipated. All crossing points must respond to desire lines to maximise safety and increase crossing compliance. There are insufficient footpath widths to deal with pedestrian numbers at peak times such that bottlenecks will occur and trigger people crossing at grade regardless. Signal cycles must be short/frequent enough to respond to pedestrian/cycle volumes.</p>

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

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			The City will liaise with RMS to establish appropriate pedestrian crossing facilities.
	Interface between development and transit	The Draft DCP should provide more detailed provisions for facilitating appropriate interfaces with the existing transit for example integrating development with the pedestrian tunnel to the station and pedestrian access to the Botany Road bus stops.	Provision 10.2 Transport Structure Plan in the draft DCP has been amended to include a provision requiring development connects and integrates to existing public transport nodes.
	Street network	Any roadside trees shall be frangible species so as not to pose a crash risk to road users. Clear sightlines are to be maintained at all times.	Provision 3.3 Street Network in the draft DCP has been amended to include a provision to address this requirement.
	Eastern Transit Corridor and Bus priority/Light rail access	Planning provisions for future bus service are to be consistent with the <i>Service Planning Guidelines for bus services in metropolitan Sydney</i> (MoT, 2006).	The City will liaise with Transport for NSW during the detailed design phase of the public domain and Eastern Transit Corridor.
	Transport Structure Plan	Insert "and cycle" after pedestrian in Provision 10.2.	Provision 10.2 Transport Structure Plan in the Draft DCP has been amended.
		The proposed Bourke Street cycleway is shown as shared path – is this intentional or an oversight given that it is a separated cycleway to north and south.	This is intentional given the constraints of Bourke Street between Wyndham and Phillip Streets.
	Botany Road/Bourke Street/O'Riordan Street intersection	RMS has previously advised Council that this intersection is intended to be upgraded to improve the station forecourt and traffic movement and allow for pedestrian crossings on all legs. This is not contingent on the longer term development of the station site and therefore interim treatments may need to be included in the DCP to improve the current pedestrian environment.	This intersection, as well as the Wyndham Street/Bourke Road intersection, is under the control of RMS and, as such, RMS needs to take the lead in responding to ongoing amenity concerns at these locations. Upgrading these intersections was identified in the Botany Road Corridor Study stakeholder meetings as a 'quick win' that could be implemented in the immediate term. Given the growth in station patronage and development in the area, RMS should upgrade the pedestrian and cyclist amenity as a priority.
	Botany Road/East-West Boulevard (Zetland Avenue) intersection	The Botany Road Action Plan recommends that access to and from the Boulevard be restricted to public transport vehicles and access by general traffic is not supported. The existing pedestrian tunnel beneath Botany Road was built to remove the need for an at-grade	Noted. Fig 3.23 Access and Circulation in the proposed controls shows this area as closed to private vehicles.

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

(sites 301 Botany Road, 501 Botany Road, 509 Botany Road, 3 Joynton Avenue, 511-515 Botany Road, 97-115 Portman Street, 811 Elizabeth Street, Zetland; 312-318 Botany Road, 320 Botany Road 324 Botany Road, 318A Botany Road, 6-12 O'Riordan Street, and 2A Bourke Road, Alexandria)

		crossing and with the intention that it would be integrated into development in the Town Centre.	The tunnel will not serve the desire lines to/from the station and plazas, particularly given that there will be significant at-grade attractors, such as retail and the community building. As such, pedestrians are likely to cross at-grade. The existing footpath would serve as a funnel for pedestrians and is unlikely to sufficiently cater for the demand. Timing of signals in this location (and the wider area) should be investigated by RMS – it is considered possible to time traffic signals to minimise disruption to traffic flow, whilst providing for an at-grade pedestrian crossing in this location.
	Botany Road/New Cross Street (Geddes Avenue) intersection	Supports a set of traffic signals in this location but contingent upon a new road on the western site of Botany Road forming a fourth leg of the future intersection. Should this road not proceed, RMS would reconsider this endorsement.	The fourth arm of this intersection is identified in planning documents for the wider Green Square and is intended to proceed. This will form an important link to the Inner West from Green Square and the eastern/southern suburbs.
	Bourke Street/Dunning Street extension (Ebsworth Street) intersection	A set of traffic signals at this location is not supported.	Noted. The City agrees that these traffic signals should not proceed. Figure 10.1 Transport Structure Plan in the Draft DCP has been amended to delete the traffic signals.
	Bourke Street/Portman Street intersection	A possible set of traffic signals will be considered on their merits following detailed investigations	This is already being considered as part of the cycleway works. It is shown in Fig 10.1 Transport Structure Plan in the Draft DCP as a <i>potential</i> traffic signal location.
	East-West Boulevard (Zetland Avenue)/Joynton Avenue and Dunning Avenue extension (Ebsworth Street) intersection	A possible set of traffic signals will be considered on their merits following detailed investigations	Noted. It is shown in Fig 10.1 Transport Structure Plan in the Draft DCP as a <i>potential</i> traffic signal location.
	Integrated Basement car parking	It is noted that no vehicular access points are indicated to development sites 1 to 4. This is preferred.	Noted.
	Schedule 8	Provision 8.4 Requirements for Transport Impact	Amendments to Schedule 8 Transport, Parking and Access have

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

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	Transport, Parking and Access	Study – include “bicycle” after pedestrian. Provision 8.4.3 Bicycles – this section should be drafted similarly to section 8.4.4 Pedestrians, ie should address identification of major cycle routes and desire lines, potential conflicts with vehicles and required cycle infrastructure.	been made.
	RailCorp	RailCorp requires that the issues raised in the previous submissions regarding the planning proposals for 301-303 Botany Road and the Landcom/Mirvac/Leighton sites are addressed.	These issues have been reviewed but raised no issues requiring amendments to the Draft DCP.
4. Randwick City Council	General	Support for finer grain street blocks and increase permeability but notes effect of increased heights resulting from smaller block configurations. Support for City of Sydney's ongoing proactive approach to sustainable transport measures.	Noted
	Scale and density	Whilst 9.3% increase in GFA is considered relatively minor compared to the overall capacity in the Town Centre, Council is concerned that this increased scale and density may detrimentally impact upon Randwick City and its community in particular in relation to open space provision and traffic generation.	<p>The Planning Proposal is part of the review of planning controls for the entire Green Square Town Centre, including the Landcom/Mirvac/Leighton sites, where Green Square plaza and Neilson Square are to be located. These spaces, together with The Drying Green will provide significant recreational space. Other significant open space/recreation facilities are proposed in the Epsom Park Precinct to the east of the Town Centre.</p> <p>Proposed changes to the planning controls for the Town Centre, including the Landcom/Mirvac/Leighton sites, have enhanced the need to update the TMAP, with a review (TMAP2) currently being led and managed by Transport for NSW.</p> <p>TMAP2 will focus on the Eastern Transit Corridor which will connect the Town Centre with neighbourhoods to the east. It will identify how transport can be coordinated and delivered to support the changes in density that are expected in Green Square. The review will also determine which agencies will be responsible for delivering which services or infrastructure – for example, Transport for NSW will be responsible for public transport related actions.</p> <p>In addition, the City will conduct a study to identify measures to manage the future traffic generation from development in the Town Centre and potential impacts from parking on surrounding</p>

Submissions Summary and the City's Response – Public Exhibition of Green Square Town Centre Planning Proposal & Draft DCP

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			streets within the immediate locality. The traffic management measures will be implemented as development occurs.
	Open Space	In addition to parks and plazas, active recreation opportunities should also be provided.	The open spaces in the Town Centre are to be complemented by the Green Square Health and Recreation Centre and adjacent open space planned for the Epsom Precinct to the east of the Town Centre. The open space will cater for active recreation.
5. Sydney Water	Planning for growth	It is not expected that the proposed changes would greatly impact upon the planning process for growth related assets in the area and changes can be taken into account when detailed planning is carried out for the Green Square area.	Noted.
6. Resident, Zetland	Exhibition Period	The original letter advising of the public exhibition was not received, and therefore left only 9 days to respond. Request additional time to consider the Proposal and DCP.	Additional time to respond was made available.
	Public domain layout	Concern over access to new north-south Hinchcliffe Street between plazas and Emmanuel Lane (at intersection with Tosh Lane). Emmanuel and Tosh Lanes are both very narrow and have poor sightlines at intersections. The southern section of Hinchcliffe Street is to be a shared zone, but there is no information about whether there will be vehicle access from Hinchcliffe Street to the lanes. There is virtually no footpath to Emmanuel Lane and additional traffic and pedestrians will be a significant safety hazard.	<p>The southern section of Hinchcliffe Street is to be a shared zone, thereby limiting the speed and access to traffic. The following circulation arrangements are proposed:</p> <ul style="list-style-type: none"> • Make Hinchcliffe Street from Geddes Avenue to Sonny Leonard Street one way (southbound movements only). • Make small section of Hinchcliffe Street between Sonny Leonard Street and Tosh Lane for local access only for the adjoining blocks. • Restrict all vehicular access between Tosh Lane and Hinchcliffe Street. <p>Figure 3.23 Access and Circulation in the Draft DCP has been amended to show the vehicular access restriction at Tosh Lane.</p>
	Traffic Study	Lack of traffic study in light of revised street network especially the impact of additional traffic on inappropriate road.	<p>The City's transport specialists have provided technical input on the preparation of the proposed street layout and access.</p> <p>The City will conduct a study in mid 2012 to identify the staging of measures to manage the future traffic generation for the development of the Town Centre and potential impacts from parking on surrounding streets within the immediate locality. The traffic management measures will be implemented as development occurs.</p>

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			The suitability of access arrangements for individual development sites and buildings will be assessed at the development applications stage when a detailed traffic and parking report will need to be undertaken and submitted with any development applications.
	Vehicular access	Request no vehicular access is allowed from proposed Hinchcliffe Street into Emmanuel Lane or Tosh Lane.	Refer to response above.
	Shadow Diagrams	Shadow diagrams have not been provided for the proposed LEP/DCP which questions the authenticity of the planning process and could be interpreted as a deliberate deceit by the City to prevent existing residents having access to adequate information to assess the implications of the Planning Proposal.	Whilst shadow diagrams were not provided with the public exhibition material, shadow testing was undertaken in the development of the controls. The Draft DCP also includes provisions to ensure that amenity is preserved for existing dwellings, through the provision of a minimum of 2 hours direct sunlight between 9am and 3pm on the 21 June to at least 1sqm of living room windows and at least 50% of the required minimum 16sqm of private open space (Provision 6.10.2 Sun Access in the Draft DCP).
	Built Form	Opposes the increase in height from 4 to 8 storeys for development sites 11C and 10B which will result in shadows being present on entire west side of property in Hansard Street and lead to unacceptable change to living conditions. Current building height limits to sites 11C, 10B and 10A should be maintained.	The proposed controls provide for an increase in building height to the buildings fronting Botany Road (located on development site 11C) from RL43.7m to RL47.2m. Sites immediately north of this have a current building height control of RL51.7m which will decrease to RL47.2m for approximately 30m before increasing to RL52.2m. Whilst there is an increase in building height for the building directly to the north west of the subject property, the extent of this height has been reduced. Also refer to response above.
		The increased site area occupied by the new finer grid of roads has been used as justification for increasing allowable gross floor area and building heights resulting in significant additional shadowing and overlooking.	The changes to the development standards have resulted from a review of the planning controls for the entire Town Centre prompted by the lodgement of the Planning Proposal by the Landcom/Mirvac/Leighton consortium. The amendments to the street network and the 'finer grain' achieved are considered will result in a more permeable and accessible street layout.
7. Resident, Redfern	Built form	Support controls on the Town Centre with regard to built form design and amenity.	Noted.
	Open space	Dense perimeter planting around parks causes safety and amenity issues. Parks can benefit from shelter, tree canopy and	Noted. The design of the parks and open space within the Town Centre will be subject to detailed design and development approval.

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		interesting lighting that can also be visually decorative and allows use of park in the evenings.	
	Public art	Does not approve of general concepts for public art and interpretive water elements but should be highly decorative art work with clearly informative features. Water features should not be internal areas due to noise impacts on residents.	The public art will be subject to Council's Public Arts Policy and guidelines, in addition to the principles established in the Draft DCP, and the detailed design of the public spaces.
	Heritage sites	Commemorative material should be of a form that gives outreach informative/interesting information to the general public, residents, visitors, man, woman and child rather than accessible. We don't need to know exactly where the nurses quarters were but the reputation and training provided by the hospital.	The historical interpretive material will be provided in accordance with Heritage Office guidelines and other relevant policies, in addition to being guided by the controls in the Draft DCP.
	Light Rail	Much glib talk about light rail. Should link with Lilyfield, Haymarket, Oxford Street, Anzac Parade and Eastern seaboard.	The light rail route is being investigated in collaboration with the State Government. The Town Centre controls enable the provision of light rail within the precinct regardless of the eventual route.
	Boarding Houses	Query use of term "boarding houses".	The land use table is consistent with the provisions of the Standard Instrument LEP and the designated terms.
8. Resident, Rosebery	Building heights	Increase in heights in the Town Centre will be a major eyesore and dwarf anything else in the suburb. Will ruin the views of all surrounding residents. Buildings of concern are in sites 1, 6, 6A, 8A, 8C, 8D, 19A, and 19B. The increase in heights will result in loss of views from the subject property to the City and will result in financial loss to the property value and growth potential.	<p>The sites identified as of concern (with the exception of site 1) are all within the Planning Proposal for 956-960 Bourke Street, 355 and 377-497 Botany Road (the LML sites). Council and the CSPC approved the final Planning Proposal in December 2011, following consideration of submissions received on its original public exhibition and re-exhibition. The building height for site 1 has increased from 18 to 21 storeys. This increase is considered appropriate given the site's location above the Green Square station, to act as a landmark site for the western entry to the Town Centre, and in the context of the building heights buildings within the Landcom/Mirvac/Leighton sites.</p> <p>Whilst the development of the Town Centre will impact on views from the subject property to the City, the increase in height of site 1 will only marginally alter that impact. The development of the Town Centre will create new views of a vibrant and attractive Town Centre, with the advantages of the proximity to this Town Centre benefiting the owner.</p>
9. Waverley	Gross floor area	Seeks advice that the built form has been tested	The built form controls, including height, GFA, and setbacks have

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Council and Senayear Pty Ltd (by LFA Pty Ltd) 97-115 Portman Street and 501-509 Botany Road	(GFA)	to ensure that the maximum GFA can be accommodated including "design excellence".	been extensively tested to ensure that the controls are appropriate. However, the controls are a maximum and there may be circumstances where it is not appropriate for a development proposal to achieve the maximum floorspace to achieve the best design and amenity outcomes.
	Building heights	Seeks confirmation that it is permissible within the provisions of the draft LEP to include additional storeys where the maximum GFA with design excellence is proposed.	The Height of Buildings Map in the Planning Proposal indicates the maximum height of buildings that can accommodate the additional GFA potentially available through design excellence. The Draft DCP shows the maximum heights in storeys and where additional heights may be achieved through design excellence.
	Basement car parking	Seeks confirmation that the provision of basement parking beneath the public domain will remain.	It is not anticipated to amend the provisions relating to basement car parking beneath the public domain where shown in the DCP.
	Inconsistencies in numbers	Waverley Council site – Inconsistencies in Table 1 which should show the current LEP GFA as 58,918sqm and the proposed GFA as 59,911sqm and the maximum GFA with design excellence as 66,200sqm. Senayear site – inconsistencies in Table 1 which should show the Lot area as 2,065sqm, the LEP GFA as 7,207sqm and the maximum GFA with design excellence as 8,260sqm.	The total GFA under the controls for both sites are taken from Schedule 1, Part 2 of the current Town Centre LEP which indicate the GFA for the Waverley Council and Senayear sites as 59,000sqm and 7,200sqm respectively. The corrections are noted, and Table 1 in the Planning Proposal has been amended as appropriate.
	Through-site link	Senayear site – The draft DCP shows a 9m wide through-site link on site 10. It is requested that this be amended to be 4.5-6m wide arcade type link which would enable greater flexibility of the built form.	The through-site link provides an extension to Sonny Leonard Street to the east. This link has been continued from the current controls where a 15m right of way was to be provided in a similar location across the site. The provision of a 9m through-site link is less of an encumbrance upon the site than the right of way in the current controls.
	Solar access	Senayear site – Seeks advice that solar analysis has been done and that the maximum number of storeys, specific RLs and setbacks at upper and roof levels reflect the results of the analysis and allow for best practice design outcomes.	Solar analysis has been done, however, it is up to individual development sites to provide details of compliance with solar access requirements when developing the detailed building design.
	Flexibility of land use	Senayear site – Whilst there is flexibility for ground floor levels between commercial, retail and residential uses there is no flexibility at upper levels where residential is specified. The land use provisions should be amended to provide for total	Figures 4.1, 4.2 and 4.3 Land Use in the Draft DCP are proposed to be amended to enable residential uses to be changed to other uses such as retail or commercial. However, it is not intended to allow flexibility to change retail or commercial uses to residential

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		flexibility to allow the landowner to provide a building that responds to market conditions.	uses.
	Access off Botany Road	Senayear site – Access to site 10 is indicated as being off Hinchcliffe Street which traverses the Waverley Council and Hatbands sites. It is requested that the provision be amended to allow permanent access off Botany Road to ensure that the development of the site can proceed independently of the surrounding sites.	Figure 3.23 Access and Circulation and Figure 10.2 Integrated Basement Car Parking in the Draft DCP do not preclude access from Botany Road to site 10. Provision 10.3 (4) (c) relating to the total number of vehicular access points to an integrated car park has been removed as this contradicted provision 10.4 (1) Vehicle Access and Footpaths, which enables variations to the vehicular access where a Traffic Impact Study demonstrates the proposed access is not practicable. In the case of the subject site, Botany Road access may be the only practically alternative should other sites not develop in a timely manner.
10. John Newell (by JBA Planning) 301-303 Botany Road	Standard Instrument LEP	Request that the full Draft LEP be made publicly available once drafted to enable a proper assessment of the draft provisions to be undertaken.	The Minister for Planning will make the LEP, after the instrument has been drafted by Parliamentary Counsel. Council have no control over this process and there is no intent for further exhibition of the drafted controls.
	Height	<p>The Planning Proposal has a height of RL79.5m for site 6, with the current Town Centre LEP having a height of RL75.2m with a potential for 10% increase to RL82.72m. The new height definition also now includes plant. The detailed Stage 1 design work undertaken for the site requires a building height of 85m (including plant).</p> <p>The building heights in the Draft DCP do not appear to correlate to the draft LEP controls. Table 6.2 in the Draft DCP should be amended to provide for a RL85m for the site.</p>	<p>The maximum building height of RL75.2m is for an area adjacent to Bourke Street and for the north-east corner of the site (approximately 50% of the site). The remainder of the site has a maximum height of RL51.7m with RL43.7m along the plaza edge. The new height control of RL79.5m is for the entire site, with the exception of the corner to be dedicated as public plaza (which is also nominated in the current controls). The additional 10% height potentially available under the current LEP is not a given but is subject to the consent authority being satisfied of several conditions including, design excellence and that the physical attributes of the land will render the strict application of the standard unreasonable or unnecessary. These heights may not be achievable when amenity considerations to the plaza areas are considered during the detailed design of development.</p> <p>The proposed building height contained in the Planning Proposal has been thoroughly tested to ensure the adequate levels of amenity are achieved in the public plazas and adjacent development sites and it is not considered desirable to increase those heights. Amendments have been made to the building heights to correct errors and provide consistency in height calculations, however this has not impacted upon the proposed</p>

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			heights for the subject site.
	Floor Space Ratio (FSR)	<p>Seeks that the additional 10% FSR for design excellence be achievable without undertaking a competitive design process.</p> <p>In calculating the additional 10% FSR the draft controls proposed that land dedicated for streets and public open space be excluded from the FSR calculations. The site requires the dedication of 578sqm of land and therefore the bonus 10% FSR would be based on a site area of 4,890.5sqm giving a total GFA with bonus of 37,585sqm, 1,795sqm, less than the current controls.</p> <p>The site area is 5,469sqm rather than 5,697sqm and therefore the FSR would result in a GFA (without bonus) of 34,515sqm or 1,286sqm less than the current controls.</p> <p>To retain the development potential the FSR should be amended to 6.55:1 and the additional 10% based on the whole site area including land to be dedicated.</p>	<p>It is not intended to amend the provisions relating to the design competition. The bonus is seen as an incentive to compensate for a design competition, not a given for each site.</p> <p>However, it is noted that testing undertaken by the City has shown that the maximum GFA achievable is 35,800sqm. This will ensure that the internal amenity of dwellings and Green Square plaza are protected. Similar to the additional 10% height potentially available under the current LEP, the additional GFA is not a given but is subject to the consent authority being satisfied of several considerations including amenity.</p> <p>The total site GFA, as detailed in the current Town Centre LEP is 35,800sqm. Whilst an FSR has been provided, based on a site area of 5,697sqm, this has been calculated based on the total gross floor area which is the primary control for the Town Centre under the current controls. The owners have provided a survey which indicates that the site area is 5,469 and therefore the FSR has been recalculated on this basis and the FSR Map in the Planning Proposal has been amended to show 6.55:1.</p>
	Streets	Support the new street (Tweed Place) between sites 6 and 7 as will increase building separation. The Stage 1 DA undertaken for the site proposes access off Dunning Avenue (Ebsworth Street), however access off Tweed Place can be resolved at Stage 2.	Noted.
	Through-site link	The Draft DCP identifies a 4-6m wide arcade through the site. The client proposes a through-site link, predominantly open to the sky and fronted by retail and residential uses.	The preferred type of through-site link is that it is open to the sky and fronted by retail uses. The current controls do not preclude this, however amending the provision to require a through-site link may be onerous for the developer due to other requirements. Figure 3.26 Through-site Links and Arcades in the Draft DCP has been amended to enable either a through-site link or arcade.
	Land uses	The Draft DCP proposes retail on the ground floor and retail/commercial fronting the street on the first floor with residential behind. It is requested that the plan be amended to show residential to	It is not proposed to amend the first floor land use plan for this site. The site is bordered by Bourke Street and Botany Road, both of which are heavily trafficked and provide for low levels of amenity to first or ground floor residential uses. The Green Square plaza frontage is also a primary retail area and residential uses at first

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		the first floor.	floor level are not appropriate. However, on the frontages to Tweed Place and Ebsworth Street, which are expected to be less trafficked, residential uses at first floor level may be appropriate, subject to adequate 'defensive' design measures to address noise impacts resulting from ground level activities. Figure 4.2: Land Use – First floor has been amended accordingly.
	Community building	A six storey community building within the plaza adjacent to site 6 raises amenity concerns for the future residential uses and therefore should be limited to three storeys.	The detailed design of the community building will be subject to further work, and will consider the amenity impact on nearby residential units. The building will be located to the south of the subject site and will therefore not have overshadowing implications. Overlooking and other issues will be addressed through the design.
	Competitive design process	The Draft DCP requires a competitive design process for buildings greater than 14 storeys in height. The time and cost involved is significant and an alternative should be for review by a Design Review Panel. The additional 10% FSR should be achievable on demonstrating design excellence rather than a competitive process.	Provision 6.1 Competitive Design Process in the Draft DCP has been amended to provide for buildings 16 storeys or greater in height. It is not intended to make other amendments to the provisions relating to the design competition. The bonus is seen as an incentive to compensate for a design competition, not a given for each site.
	Architectural diversity	The DCP proposes that buildings designed by the same architectural design company not be adjacent or opposite one another. This provision is without basis and is effectively a restraint on trade.	Provision 6.2 Design and Architectural Diversity in the Draft DCP is proposed to be amended to be consistent with that used in the Draft City Plan to require that opposite or adjacent buildings do not replicate the same design, rather than they be designed by different architects.
	Dwelling mix	The requirement for 50% of 3 bedroom units to be on the ground floor is not achievable where sites are required to have retail uses on the ground floor and should only apply to sites that are 100% residential.	Provision 6.8 Flexible Housing and Dwelling Mix in the Draft DCP has been amended to account for buildings with no residential uses on the ground floor. Where residential uses are proposed for the ground floor It should generally be possible accommodate the quota of three bedroom units.
	Common open space	The requirement for common open space to be 25% of the site area is unachievable given the prescribed building layout, provision of publicly accessible through-site link and the dedication of land to Council. The emphasis should be on the design, functionality and usability of private open space.	Provision 6.13.4 Common Open Space in the Draft DCP has been amended to accommodate lots which have almost full site coverage or are to dedicate land for the public domain.
11. Hatbands	Height controls	The two height controls – number of storeys in the	The height in RLs is provided for the Town Centre where the exact

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site, 511-515 Botany Road		<p>Draft DCP and RL above ground level in the Planning Proposal – are not necessary. The conventional height control should be used, reducing confusion and allowing flexibility in built form. Detail of varying ceiling heights for uses at ground floor level result in conflict with the LEP provisions.</p> <p>If a number of storeys control is applied, it should relate to the Planning Proposal LEP's allowable RL.</p>	<p>ground level in relation to the public domain has not been established.</p> <p>The RL heights in the LEP and the height in storeys control in the Draft DCP serve different functions. The RL heights represent the absolute maximum height to be reached by any part of that building on that site, including plant rooms and any additional floor space gained through a competitive design process.</p> <p>The height in storeys control indicates maximum height of buildings including and excluding additional floor space or plant rooms. The height in storeys control is consistent with the approach in the Draft City Plan.</p> <p>The height in storeys and RL height controls for the site have been reviewed. Minor amendments have been made to Table 6.2 Height of Buildings in the Draft DCP and the RL in the Height of Building Map contained in the Planning Proposal.</p>
	FSR/GFA	<p>The lot area of the Hatbands site is incorrect in Table 1 of the Planning Proposal. The proposed GFA should be corrected to reflect the actual lot area of 9,951sqm.</p> <p>A further request was made to increase the lot size to 9,999sqm to incorporate 48sqm of land in the 600mm wide strip along the southern boundary of the lot, adjacent to Tosh Lane.</p>	<p>Inspection of the site survey confirms that the lot area is 9,951sqm rather than the exhibited 9.932sqm. This change in site area is small and does not require an amendment to the site FSR.</p> <p>The additional 48sqm requested is not currently under Hatband's ownership; it is not contained within the Lot and DP numbers for that site. As such, no change has been made.</p>
	Building alignments and setbacks	<p>Prescriptive controls relating to setbacks above ground floor level, architectural details and chamfered setbacks are unnecessary and will result in less innovative designs. All should be merit based decisions.</p>	<p>The controls promote the desired outcome for development in the Town Centre. The controls require that any storeys above the fifth storey must be setback by 3m. This is to maintain a maximum street frontage height of 5 storeys, which is the desired outcome.</p> <p>The building setback is to ensure the desired amenity and width in the street/public domain is achieved. The setbacks also apply to balconies and shading elements, which may not extend beyond the floor below. This maximises the width of the street.</p> <p>Chamfered corner setbacks may not be required if the setbacks already applying to the built form ensure that those sight lines are available.</p>
	Street design	<p>A setback that recognises the existing native trees (location and scale) in Tosh Lane should be</p>	<p>Figure 6.14 has been amended to show a 6m setback to Tosh Lane, which will reduce the amenity impacts for residents on</p>

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		included in Figure 3.21. Street Type 2 (ie. Sony Leonard Street) could accommodate landscaping on both sides of the street. The DCP should allow for flexibility in street design if better landscape design and urban qualities are demonstrated.	Hansard Street. Due to the east-west orientation of Sonny Leonard Street, the 15m width, and the scale of future development, it is expected that the growing conditions for street trees will vary greatly from one side of the street to the other. It is preferable to maximise the growing condition of street trees to the southern side to produce a good, deciduous, canopy cover over the street. The street type diagrams are indicative and therefore should it be determined that the street can accommodate an additional street tree to the northern side, species selection should consider shaded location and light available to lower storeys.
	Building layout and Through-Site Links	Requirements for building breaks should not be included in the DCP and should be based on a merit consideration of the design. Narrow laneways and through-site links between 5 storey buildings may result in safety issues due to requirements to reduce opposing windows, localised wind impacts and would not be read from the street. Widths of through-site links should be based on human proportions - 4m width is appropriate. The form of buildings on the south side of the Hatbands site does not need to replicate the form of the northern building.	It is Council policy to promote permeable, fine grain urban development in the Green Square Town Centre. The requirement for building breaks represents a minimum requirement. Where an alternative design, which provides for the appearance of additional breaks is proposed, the control may be varied. Given the relatively minor quantity of pedestrian traffic at this edge of the Town Centre, it may be acceptable to reduce the through-site link to the north to 4m in width, and only for the first two storeys of the building. This outcome relies on compliance of the buildings with all architectural diversity provisions. A through-site link from Sonny Leonard Street to Tosh Lane is not considered necessary and therefore the southern building need not be physically broken into two separate buildings, though the building must still comply with architectural diversity provisions and be treated as a number of different segments along its length.
	Ground and first floor residential street setbacks	Requiring ground and first floor setbacks, resulting in a continuous 'undercroft' will limit opportunities to create good urban form at the street.	This represents the City's preferred position for ground and first floor residential units to achieve residential amenity. Recessed private open space at the frontage of dwellings on first and ground floor is intended to promote casual surveillance of the street, provide amenity to the dwellings, and reflect the existing terrace housing in neighbouring areas. The space may be delineated by vertical fin walls to mark individual dwellings and to avoid the appearance of a 'continuous undercroft space'. Provision 6.5.1 Ground and First Floor Residential Street Setbacks has been

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			amended to clarify this.
		Decks at street level will be underutilised. Raised deck levels at 1.2m above street level will result in a continuous streetscape wall 2.2 metres in height. Closed balustrades should be allowed for privacy.	Decks to the street frontage of properties will provide private open space for low level residential units, and aid privacy through an increase in separation from the street. Closed balustrades are not desirable, as they will reduce overlooking to the street and create an unattractive streetscape. The provisions provide for some flexibility in detail design to ensure a positive, tidy and attractive outcome.
		1.8m x 2.5m balconies at first floor level are considered decorative, of no utility and not compliant with SEPP 65.	Ground level decks are intended to provide private open space as per SEPP 65, therefore balconies to these units are not required. Balconies at the first floor level are not required, but are considered to be a positive outcome, contributing to architectural diversity, amenity of individual dwellings, and casual surveillance of the street. Their depth is restricted to maintain amenity to ground floor decks.
	Architectural diversity	Precluding architects from designing adjacent or opposite buildings will not assure good design. Consistency of high quality design is as relevant as diversity in design.	Provision 6.2 Design and Architectural Diversity in the Draft DCP has been amended to be consistent with that used in the Draft City Plan to require that opposite or adjacent buildings do not replicate the same design, rather than must be designed by different architects.
		Continuous built form (ie: a single building longer than 65m) is not a negative design consideration and therefore should not be prohibited.	A continuous building may be developed, but in order to meet desired level of architectural diversity and legibility, the architectural articulation must clearly denote individual components of the whole, relating to individual cores. That is, no more than 50 dwellings should be serviced by any one core, and each set of dwellings should be distinguished from the next.
	Dwelling mix	Dwelling mix should include greater flexibility. Provision 6.8(3) should be more flexible as it may not always be possible to provide 50% of 3 bedroom units at ground floor level.	Provision 6.8(3) Flexible Housing and Dwelling Mix in the Draft DCP has been amended to account for buildings with no residential uses on the ground floor. Where residential uses are proposed for the ground floor it should generally be possible to accommodate the quota of three bedroom units.
		Submission requests more flexibility in dwelling mix provisions and proposes alternative dwelling mix as follows: 1 bedroom dwellings – 10-40%	The submission proposes an undersupply of three bedroom dwellings. This is not supported by Council.

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		2 bedroom dwellings – 40-75% 3 bedroom dwellings – 3-5%	
	Amenity and sun access	All built form RL height controls should be tested to ensure that if buildings are constructed to the maximum allowable height, adequate sunlight access for neighbouring properties will be maintained.	The built form controls have been tested however it is acknowledged that there may be some compromise in residential amenity from living in the high density Town Centre, comparable to living in an established city centre. Detailed building design is to minimise these impacts particularly on proposed and existing neighbouring buildings. The controls provide for maximum built form limits, including height. The maximum height is not a given, if this will have a detrimental impact on the amenity of neighbouring residents. The detailed design of buildings will indicate if the maximum height can be achieved whilst having regard to the other controls contained in the DCP.
	Amenity and light wells	Requiring a specific ratio for light-well size is too prescriptive and may restrict alternative outcomes. Light-wells are better served by a merit consideration and BCA requirements.	Draft DCP provision 6.10.3 Lightwells outlines the minimum of light access to habitable room windows in the lightwell, for amenity purposes. In addition to the DCP provisions, the development must comply with SEPP 65 requirements for acoustic and visual separation and amenity, and BCA requirements for fire separation.
	Deep Soil	Requests more flexible provisions for dimensions and requirements of deep soil areas.	The controls in provision 6.13.2 Deep Soil in the Draft DCP represent the minimum acceptable provision of deep soil in the Town Centre.
13. Mirvac on behalf of Landcom/Mirvac/Leighton (LML)	Public domain layout – Street layout	The Draft DCP proposes a temporary road between sites 17 and 18. This differs to what was re-exhibited for the Planning Proposal for the LML sites and has implications on site 7 and the public domain.	No temporary road is proposed between sites 17 and 18 but across the plaza linking with the road between sites 7 and 17.
	Public domain - Plaza	The Neighbourhood Plaza is not 1,700sqm and the Civic Plaza is not 6,600sqm when the Transit Corridor and road reserves are deducted. This is not clear.	The total area of Neilson Square (the Neighbourhood Plaza) is 1,559sqm and the area excluding the Transit Corridor is 1,140sqm. The total area of Green Square plaza (Civic Plaza) is 6,257sqm and 4860sqm excluding the Transit Corridor but including the temporary road and site 20 (community facility). Provisions 3.1.2 Neilson Square and 3.1.3 Green Square plaza have been amended to correct the total areas and indicate they include the Transit Corridor.

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		Clarify what defines “consolidated areas of direct sunlight” in provision 3.1.3 Green Square plaza.	This is to be in accordance with images in Figure 3.2 Direct Sunlight to Green Square Plaza. Provision 3.1.3 Green Square plaza has been amended to clarify this.
	Public domain – Street layout	Table 3.2 Indicative Street types is inconsistent with drawings prepared by the LML and Aurecon for the City.	Drawings reflect the City's preferred street layout and widths. If the street types in the Draft DCP are approved by Council and the CSPC they will be further detailed in the infrastructure Development Application update to be undertaken by the City.
		The western temporary streets through the public domain (A or B) do not show a width or direction. Clarify.	These temporary streets are intended to be 3m wide, allowing one-way traffic in a southbound direction. This is to keep traffic speeds low, minimise vehicle movements and reduce visual impact on the continuity of the Green Square plaza. To avoid confusion as to the location of the street, the westernmost option (A) on Figure 3.6 Street Network and Hierarchy in the Draft DCP has been removed.
		If the western temporary road is located between site 17 and 18 the road reserve between site 6 and Site 7 could be reduced back to 6m. This will give more site area and planning flexibility back to Site 7.	The permanent road shown at Figure 3.6 Street Network and Hierarchy in the Draft DCP between sites 6 and 7 is required to provide access to those development sites. No change is proposed.
		Dunning Avenue South (Paul Street) is shown as 20m. LML has only allowed for a 19m road reserve. Confirm that there is no impact on site 19.	Figure 3.6 Street Network and Hierarchy in the Draft DCP identifies that the eastern boundary of the road follows the site boundary and therefore does not impact upon site 19.
		The LML's most current site plan shows the north eastern boundary for site 16A aligning with site 5B. This does not appear correct in the draft DCP.	In Figure 3.6 Street Network and Hierarchy in the Draft DCP, the road between sites 5B and 16A is located within the Bourke Street depot site and therefore the alignment is along this boundary.
		New Cross Street (Geddes Avenue) is shown at 20.5m; the LML proposes 22m. Also, the local street (Barker Street) between sites 17 and 18 is proposed by the LML as a pedestrian connection only. If this is an alternative location for the temporary road, the Draft DCP shows this road as two way. The re-exhibited Planning Proposal for the LML sites shows this road as a one way road only. Clarify.	The street widths, locations and circulation patterns have been determined following detailed urban design and FSR testing. The road hierarchy and layout reflects the City's required road layout to support the built form shown. Geddes Avenue is required to be 20.5m. Barker Street is intended to be a permanent two-way street which is required for access and traffic circulation. The “temporary” road to cross the plaza is further north-west.
	Public domain –	Section A Zetland Avenue shows commercial	The predominant land use is identified in Figure 4.1 Land Use –

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Street section A	uses on ground level. This is not included within the Planning Proposal for the LML sites.	Ground Floor as retail or commercial. Section A shown at Figure 3.8 Zetland Avenue Indicative Street Section is consistent. They both reflect the City's intention to have activity generating uses at ground level on Zetland Avenue.
Public domain – Street section B	Section B Geddes Avenue shows commercial uses on ground level and level 1 of Site 8D. The LML sites Planning Proposal only shows retail at ground level with residential above.	To allow for some flexibility on first floor activities in this part of the Town Centre, Figure 4.2 Land Use – First Floor has been amended to enable retail, commercial or residential uses to level 1 of sites 8D and 19B.
Public domain – Street section C	Section C Ebsworth Street is incorrect as it still shows the strata commercial uses on level 1. This is inconsistent with the Planning Proposal for the LML. The section profile is also incorrect.	Figure 4.2 Land Use – First Floor has been amended to additionally show residential uses on level 1. Provision 6.10.8 has been amended to include design controls to address potential noise conflicts arising between level 1 residential uses and active ground level uses. A notation in provision 3.3 Street Network has been added to clarify the indicative nature of the street sections in respect of land uses.
Public domain – Street section E	Section E Barker Street south shows 1.5m deep screening to above ground carpark. This will have major impacts on car parking floor plates and their efficiency.	The Draft DCP requires the screening to reduce the impact of the above ground car parking on surrounding users. Provision 10.3 Vehicle Parking has been amended to indicate that secondary building frontages to the public domain should be predominantly screened by 1.5m (minimum 0.85m) planted green edge, complemented by other screening measures.
Public domain – Street section F	Section F Tweed Place shows a two way street. This is inconsistent with the Planning Proposal for the LML sites which shows a one way street.	Figure 3.13 Indicative Street Section (Section F) has been amended to reduce the street width from 15m to 12m. Figure 3.6 Street Network and Hierarchy and other relevant plans have been amended accordingly.
Public domain – Street section H	Section H Hinchcliffe Street north shows a two way street. This is inconsistent with the LML scheme which shows a one way street with parking. LML believe the footpath width is too small.	The street and footpath widths have been determined to maximise amenity whilst maintaining developable lots. Figure 3.15 Indicative Street Section (Section H) has been amended to show a one way street with parking.
Public domain – Street section I	Section I Barker Street north shows commercial strata on level 1 site 17. The LML does not propose commercial uses on level 1 (except site 8A, 8B, 8C and 19A).	The predominant land use for site 17 is consistent with Figures 4.1 to 4.3 Land Use and reflect the City's desired land use.
Public domain – Street section K	Section K Transit Corridor is different to the McGregor Coxall scheme in the public domain Development Application which showed the	The City's position is that private vehicles be restricted from the Transit Corridor to ensure its efficient operation.

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		Transit Corridor as a shared transit zone. It accommodated parking bays and allowed for car access. It is considered that vehicular movement through the Transit Corridor is vital for the retail to succeed. They could be deleted in the long run when the light rail comes on line.	
	Public domain – Street section M	Section M Portman Lane shows an additional 1.5m setback in addition to the 2.75m setback to the lane. This will impact on above ground parking to sites 5B and 16.	The screening required in Figure 3.20 Treatment Adjacent to Existing Lane (Section M) is to reduce the impact of the above ground car parking on the Portman Street properties. No change is proposed
	Vehicular access	Private vehicular access to the East West Boulevard (Zetland Avenue) has been restricted. Is this workable in terms of vehicular movement and flows?	The section of Zetland Avenue between Portman Street and Paul Street is to be restricted to private vehicles to allow for the Transit Corridor to cross-over Paul Street at an angle where site 18 within the LML sites interrupts an otherwise straight alignment.
		There appears to be no vehicular access permitted to site 1 at the Green Square railway station. The Draft DCP shows no car parking within the site.	No parking is possible under site 1 due to the location of the rail station.
	Land uses - Active uses	Provision 3.35 Through-Site Links in the Draft DCP requires ground level activation to all through-site links with active uses. This will impact sites 5A, 5B and 15 where the LML proposes above ground car park walls.	Activation is required to all through-site links for public amenity and safety.
	Flood planning level	The Draft DCP states retail uses need to be 300mm above the surrounding ground. The Planning Proposal for the LML sites allows a freeboard of 150mm-300mm above the 1%AEP (Q100).	The flood planning levels are established to meet the requirements of the flood and stormwater management provisions and have been considered in establishing the building height controls. The provisions require that industrial, commercial and retail properties (including small and large retail premises) are to have a floor planning level of 1%AEP (Q100) or be established on a merit based approach through flood risk assessment.
	Land uses	The LML does not propose adaptable retail or commercial uses on the first floor, except for sites 8A, 8B, 8C and 19A. In addition, ground level retail uses are not proposed for sites 15B and 15A. Sites 8D and 19B could allow for residential or home office uses if retail proved to be unsuccessful in these	Figure 4.2: Land Use – First Floor the Draft DCP has been amended to enable greater land use flexibility at first floor level where residential uses may be appropriate, subject to adequate 'defensive' design measures to address noise impacts resulting from ground level activities (Provision 6.10.8 Acoustic and Visual Privacy). Ground level retail is required along the Zetland Avenue frontage

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		locations.	of sites 15B and 15A. This reflects the City's intention to have activity generating uses at ground level on Zetland Avenue.
	Above ground car parking – Bourke Street	Figures 4.1 to 4.3 Land Uses show sleeving to the above ground car park to site 5A on Bourke Street. The Planning Proposal for the LML sites does not show this. LML proposes architectural screening to this façade to maximise car parking floor plates.	Site 5A on Bourke Street is a prominent site. The "sleeving" with other uses of the above ground carpark, rather than architectural screening is desirable, to generate more pedestrian activity and interest from ground and first floor level uses.
	Adaptable and above ground car parking	Adaptable above ground parking is not proposed on upper floors. These levels are not considered adaptable due to multiple owners within the strata structure, overshadowing and RL compliance issues. The LML scheme does not incorporate adaptable car parking floors of 3m or 1.5 metre screening to above ground carparks as required in provisions 10.3 Vehicle Parking, including 10.3.1 Adaptable Car Parking. This will have an impact on building heights and carpark efficiency.	Above ground car parking is not an ideal outcome and therefore, where possible, its future adaptation to other uses is desirable. Refer to provision 10.3.1 Adaptable Car Parking. Other measures to reduce its impact in the short term are required, for example through the containment behind other uses. Above ground car parking is not generally acceptable within the City and so appropriate measures have been applied to minimise the impact. The Draft DCP requires the screening to reduce the impact of the above ground car parking on surrounding users. Provision 10.3 Vehicle Parking has been amended to indicate that secondary building frontages to the public domain should be predominantly screened by 1.5m (minimum 0.85m) planted green edge, complemented by other screening measures.
	Flood planning levels	The Draft DCP states that the ground floor uses are to be at the same level as the footpath. This is inconsistent with the flooding provisions and flood planning level requirements.	Where the site is within a designated flood free area, the flood planning level is 1% AEP. Provision 4.3 Active Frontages in the revised Draft DCP has been amended to clarify the requirements.
	Design competition	The Planning Proposal for the LML sites noted that buildings above an RL of 75 AHD or above 15 storeys needed to undergo a competitive design process. The Draft DCP states this applies to buildings above 14 storeys. Clarifies whether this requirement applies to site 7 which may house Palace Cinemas and has a maximum height of 16 storeys.	Provision 6.1 Competitive Design Process in the Draft DCP has been amended to require a competitive design process for buildings 16 storeys or higher (equivalent to RL75 or higher), and so be consistent with the Planning Proposal for the LML sites.
	Built form – Height	There are inconsistencies with building heights represented in both Table 6.2 Height of Buildings and Figure 6.8 Building Height in Storeys when	Minor errors/inconsistencies in Table 6.2 Height of Buildings and Figure 6.8 Building Height in Storeys in the Draft DCP have been

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		compared to the Planning Proposal for the LML sites, which will result in a significant loss of GFA.	corrected.
	Built form – Setbacks	The Draft DCP calls for a 4m setback from the site boundary to the glass line of residential uses on ground level. This will impact GFA.	The setback requirements in provision 6.5.1 Ground and First Floor Residential Street Setbacks are to ensure that a high level of amenity is achieved in ground floor residential units. The location of the setbacks is shown at Figure 6.14 Street Frontage Alignments and Primary Setbacks. The provision has been amended to clarify where the setback apply.
		Clarify/confirm the 2.75m setback to site 15D and the 6m wide colonnade to Shea's Park (The Drying Green) to site 19A.	The setbacks and locations of colonnades in Figure 6.14 Street Frontage Alignments and Primary Setbacks reflect the desired built form and public/private interface. Figure 6.14 and Provision 6.14.2 in the Draft DCP have been amended to reduce the width of the colonnade between the columns and the face of the building from 6m to 5m. This dimension is comparable with the colonnade at East Circular Quay.
	Built form – Plant rooms	Plant room controls are too restrictive and do not offer design flexibility. They will appear like pimples on top of buildings. 18 storey buildings will require cooling towers with a 6m plant room height.	The plant room controls aim to reduce the visual and height impact of plant rooms. Provision 6.6 Roof Form has been amended to provide some flexibility on the application of the controls subject to architectural merit and protection of sun access to surrounding buildings.
	Built form – Floor plate	Maximum floor plate sizes are not consistent with the Planning Proposal. Specifically sites 5A, 8C and 15A which will lead to a significant loss of GFA.	The maximum floor plate sizes in provision 6.7 Maximum Floorplate of Tall Buildings in the Draft DCP reflect the City's position and have been determined after thorough testing to minimise the impact of tall buildings whilst enabling the floor space to be achieved. The provision has been amended to reflect the Planning Proposal for the LML sites and allow some flexibility with a 5% variation.
	Dwelling mix	The 50% of 3 bedroom apartments to be accommodated on the ground floor cannot be accommodated due to the hierarchy of uses with retail required on the ground floor.	Provision 6.8 Flexible Housing and Dwelling Mix has been amended to clarify the 50% of 3 bedroom apartments applies for buildings where residential uses are permitted at ground floor level.
	Adaptable dwellings	The 20% adaptable dwellings requirement for all buildings with a lift and including more than 5 dwellings is above the standard requirement of 10-15% (Mirvac's Harold Park development provides	Provision 6.9 Adaptable Dwelling Mix reflects the position established in the Draft City Plan.

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		for 15%).	
	Sun access	The sun access provision to neighbouring dwellings requires further analysis to ensure no impact on current building envelopes.	Provision 6.10.2 Sun Access seeks to protect sun access to dwellings adjacent to the Town Centre. The building envelopes within the Town Centre have been tested for overshadowing, however, compliance needs to be demonstrated by applicants at Development Application stage.
	Ventilation	Provision 6.10.5 Natural Ventilation in the Draft DCP deviates from SEPP 65.	This control reflects the position established in the Draft City Plan.
	Common open space	The requirement in provision 6.13.4 Common Open Space for 25% of site area to be provided as common open space is not achievable on several LML sites where 100% site coverage is permitted. Open space needs to be considered holistically across the Town Centre to address the diverse nature of each development site.	The DCP is applicable to all sites in the Town Centre. If the standard can not be achieved on individual sites the acceptability or not of strict compliance with the provision will be determined at development application stage.
	Environmental rating tool	Provision 8.1 Ecologically Sustainable Development in the Draft DCP requires all buildings to use an environmental rating tool such as Green Star rating. This requirement was not part of the LML Planning Proposal.	The Planning Proposal for the LML sites does not cover this level of detail. The control reflects the position established in the Draft City Plan.
	Transport Structure Plan - Cyclways	The cycleway shown on the south side of the plazas should be accommodated in the Transit Corridor due to "al fresco" and other uses proposed on the south side.	Due to space restrictions the northern side of the plazas is reserved for the Transit Corridor. The cycleway is also better placed on the southern side to have a direct connection to The Drying Green.
	Transport Structure Plan	Clarify whether the requirements in the Transport Structure Plan been confirmed with the RTA.	The City has consulted with Transport for NSW during the public exhibition of the Town Centre Planning Proposal and the Draft DCP. Comments provided by Transport for NSW and the City's responses are summarised under submission 3 above.
	Basement car parking	The Draft DCP requires basement car parking to be 1m below finished public domain levels. This may not be enough to ensure no interference with infrastructure and services.	Provision 10.3 Vehicle Parking in the Draft DCP has been amended to ensure basement car parking structures are at a sufficient depth to accommodate services and infrastructure. This may need to be more than 1m below finished public domain levels.
	Car parking access	It is likely that an access point for sites 15 and 18 will be required from Portman Street.	Noted. Figure 10.2 Integrated Basement Car Parking as amended represents the City's position.
	Appendices – Repealed DCPs	It is noted that the Draft DCP repeals <i>South Sydney Development Control Plan No. 11</i>	Car parking allowances are contained within the LEP drafting provisions in the Planning Proposal for both the LML sites and the

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		<i>Transport Guidelines for Development 1996.</i> Clarify any impact on the LML's parking allowances.	remainder of the Town Centre. The relevant provisions of parking design have been included in the Draft DCP.
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