

**ITEM 3. PUBLIC EXHIBITION - DANKS STREET SOUTH PRECINCT -
PLANNING PROPOSAL AND DRAFT AMENDMENT TO SYDNEY
DEVELOPMENT CONTROL PLAN 2012**

FILE NO: S114074

SUMMARY

This report seeks to amend the permissible building heights for the Danks Street South Precinct to allow a diversified built form and provide the incentive needed to deliver infrastructure improvements through the Green Square Community Infrastructure floor space scheme. The majority of this precinct lies within the Danks Street neighbourhood in the northern boundary of the Green Square urban renewal area, with the remaining portion located in the Young Street Locality (as defined in the *Sydney Development Control Plan 2012*).

This report seeks approval to submit the planning proposal, shown at Attachment A, to the Greater Sydney Commission with a request for a Gateway Determination to begin the process of amending *Sydney Local Environmental Plan 2012*. It also seeks Council approval of a draft amendment to *Sydney Development Control Plan 2012* (DCP amendment), shown at Attachment B, and to publicly exhibit both documents. The planning proposal and draft DCP amendment were prepared by the City, with input from City appointed consultants, some landowners and their consultants. An urban design study, shown at Attachment C, informed the preparation of the planning controls.

The Danks Street South precinct (the precinct) is in the suburb of Waterloo. It is bounded by Bourke Street to the east, Danks Street to the north, Morehead Street to the west and McEvoy Street to the south. Approximately 80% of the land in the precinct is within the Green Square urban renewal area.

Two separate requests to amend the planning controls have been submitted to the City for the sites at 824 Bourke Street, Waterloo and 903-921 Bourke Street, Waterloo. The first request, for 824 Bourke Street, was subsequently withdrawn. The second request informs the preparation of this planning proposal and draft DCP amendment.

The planning proposal and draft DCP amendment support the City's *Sustainable Sydney 2030* Directions and will facilitate delivery of the following:

- two public parks totalling 5,450 square metres for passive recreation and small scale community events;
- new local streets, including shared zones and pedestrian/cycle only through site links;
- a publicly accessible plaza area of around 1,500 square metres;
- approximately 1,275 new homes, close to public transport and cycleways, and access to existing community infrastructure and local goods and services;
- high quality buildings and public domain;
- delivery of infrastructure through the Green Square Community Infrastructure floor space scheme; and

- delivery of approximately \$17,600,000 in affordable housing contributions through the Green Square Affordable Housing scheme.

The planning proposal seeks to amend the current permissible building heights ranging from 15 to 22 metres (three to six storeys) to a predominant height of 24 metres (six storeys), one maximum building height of 65 metres (20 storeys) for the tallest building in the precinct, and one 50 metre height (16 storeys) for the second tower. No changes to the permissible floor space ratio are recommended.

There is a complex arrangement of significant constraints that affect 903-921 Bourke Street in particular. Dahua Group purchased the site from Sydney Water in 2015. Approximately 60% of the Dahua site cannot be developed, due to the site constraints which include easements, reservations and heritage listings that reduce the land footprint where development can be located. The floor space potentially achievable on this site is therefore proposed to be distributed across the developable area. The two towers of 20 and 16 storeys are located in this area. The land that cannot be developed will provide a new plaza area of around 1,500 square metres, which will surround two heritage listed buildings owned by Sydney Water that are still operational. It is proposed to have an easement over the plaza to allow public access and facilitates access to the Sydney Water buildings.

The remaining sites within the precinct have less significant constraints. The urban design study, shown at Attachment C, recommends a predominant building height of six storeys, with some four storey buildings. These buildings, with the heritage listed buildings, will provide a variety of building height, and architectural interest and diversity of built form across the precinct.

The draft DCP amendment supports the planning proposal, providing detailed planning controls. It introduces controls for indicative building envelopes and setbacks, solar access, dwelling types, building heights in storeys, preferred land uses and public domain layout. It also shows the key elements of the two new parks and indicative design of the new streets and street tree species.

This report details the testing of built form options, which has taken into consideration the bulk and scale of buildings, overshadowing impacts, noise, natural ventilation and the optimum location for new streets and lanes. Constraints across the precinct and how the environmental impacts have been addressed through planning controls are also discussed. Given the significant constraints across the Dahua site at 903-921 Bourke Street in particular, the environmental impacts are acceptable and manageable.

If approved, the proposed amendments will unlock the redevelopment potential of the precinct, which is close to existing and future infrastructure (including the planned Sydney Metro Waterloo station), retail, recreation opportunities, publicly accessible open spaces and new community facilities in the Green Square town centre. The proposed amendments will also ensure the future development responds appropriately to the surrounding context and provides high residential amenity. Redevelopment will deliver major new public domain areas – open space and permeable streets – and significant contributions to the Green Square affordable housing scheme.

The precinct has the potential to accommodate close to 2,500 residents. The City's population projections released in late 2015 estimated 61,000 residents will live in Green Square when fully developed by 2030. This estimate includes the projected residents of the Danks Street South precinct. The changes to the controls proposed in this proposal will not increase floor space, dwelling numbers of population above what has been planned for.

The implications of the growing demand for state services and facilities for the Green Square population is the subject of ongoing discussions between the City and the NSW Government. Key infrastructure requirements that will be required to support the growth of the precinct are identified in the City's Green Square Infrastructure Strategy and Plan, endorsed by Council in March 2015. This Plan identifies both the physical and social infrastructure required to support the growth of Green Square, and takes into consideration the infrastructure requirements for the Danks Street South precinct.

RECOMMENDATION

It is resolved that:

- (A) Council approve *Planning Proposal – Danks Street South Precinct* shown at Attachment A to the subject report, for submission to the Greater Sydney Commission with a request for a Gateway Determination;
- (B) Council approve *Planning Proposal – Danks Street South Precinct* for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council approve *Draft Sydney Development Control Plan 2012 – Danks Street South Precinct Amendment*, shown at Attachment B to the subject report, for public exhibition in parallel with the Planning Proposal and in accordance with the Gateway Determination;
- (D) Council seek authority from the Greater Sydney Commission to exercise its delegation under section 59 of the *Environmental Planning and Assessment Act 1979* to make the amending local environmental plan;
- (E) authority be delegated to the Chief Executive Officer to make any minor changes and any changes required by the Greater Sydney Commission to *Planning Proposal – Danks Street South Precinct* and *Draft Sydney Development Control Plan 2012 – Danks Street South Precinct Amendment* prior to the public exhibition; and
- (F) Council note that *Planning Proposal – 824 Bourke Street, Waterloo* was withdrawn by the applicant.

ATTACHMENTS

Attachment A: *Planning Proposal – Danks Street South Precinct*

Attachment B: *Draft Sydney Development Control Plan 2012 – Danks Street South Precinct Amendment*

Attachment C: *Danks Street South Precinct – Urban Design Study*

BACKGROUND

Purpose of this report

1. This report seeks Council approval of *Planning Proposal – Danks Street South Precinct* (the planning proposal), shown at Attachment A, for submission to the Greater Sydney Commission with a request for a Gateway Determination to allow public exhibition.
2. The planning proposal seeks to amend the height controls that apply across the Danks Street South Precinct (the precinct) under *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). The proposal does not increase the floor space ratio controls and will not lead to population increases above what has already been planned.
3. This report also seeks Council approval of *Draft Sydney Development Control Plan 2012 – Danks Street South Precinct Amendment* (the draft DCP amendment), shown at Attachment B, to be publicly exhibited alongside the planning proposal.
4. The proposed draft DCP amendment seeks to amend *Sydney Development Control Plan 2012* (Sydney DCP 2012) to include site specific planning controls to guide redevelopment of the precinct.

Site details and context

5. The precinct is located in the suburb of Waterloo and is bounded by the sites immediately south of Danks Street, Bourke Street to the east, McEvoy Street to the south and Morehead Street to the west, as shown in Figure 1. The majority of the precinct lies within the Green Square urban renewal area. Figure 2 shows the precinct location within the wider context.

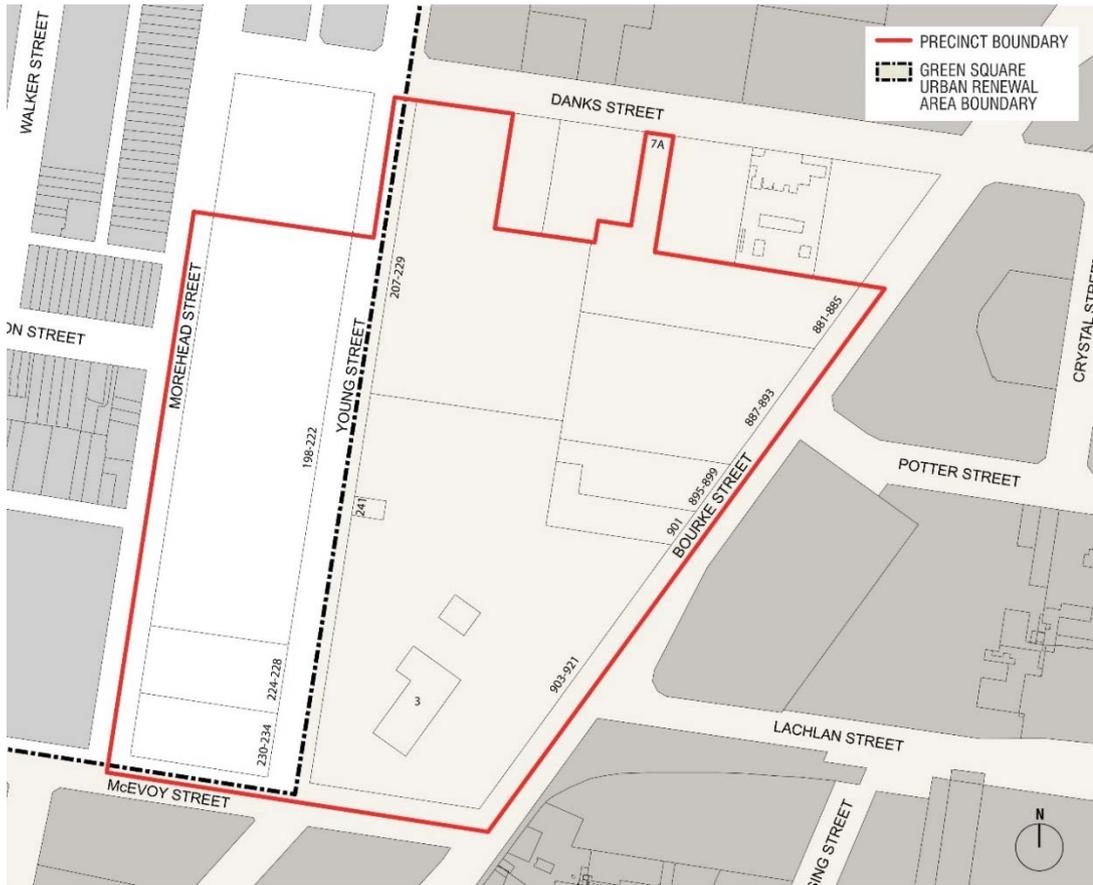


Figure 1: Danks Street South Precinct – Boundary



Figure 2: Danks Street South Precinct – Wider context

6. The precinct is approximately a one kilometre walk to the Green Square train station and a 1.4 kilometre walk to the proposed Sydney Metro Waterloo station.
7. The precinct is made up of 11 lots across approximately 92,500 square metres of land. The lots range in size from 19,350 square metres to 140 square metres. Figure 3 shows current land ownership. Figures 4 to 7 provide some photos of the precinct.

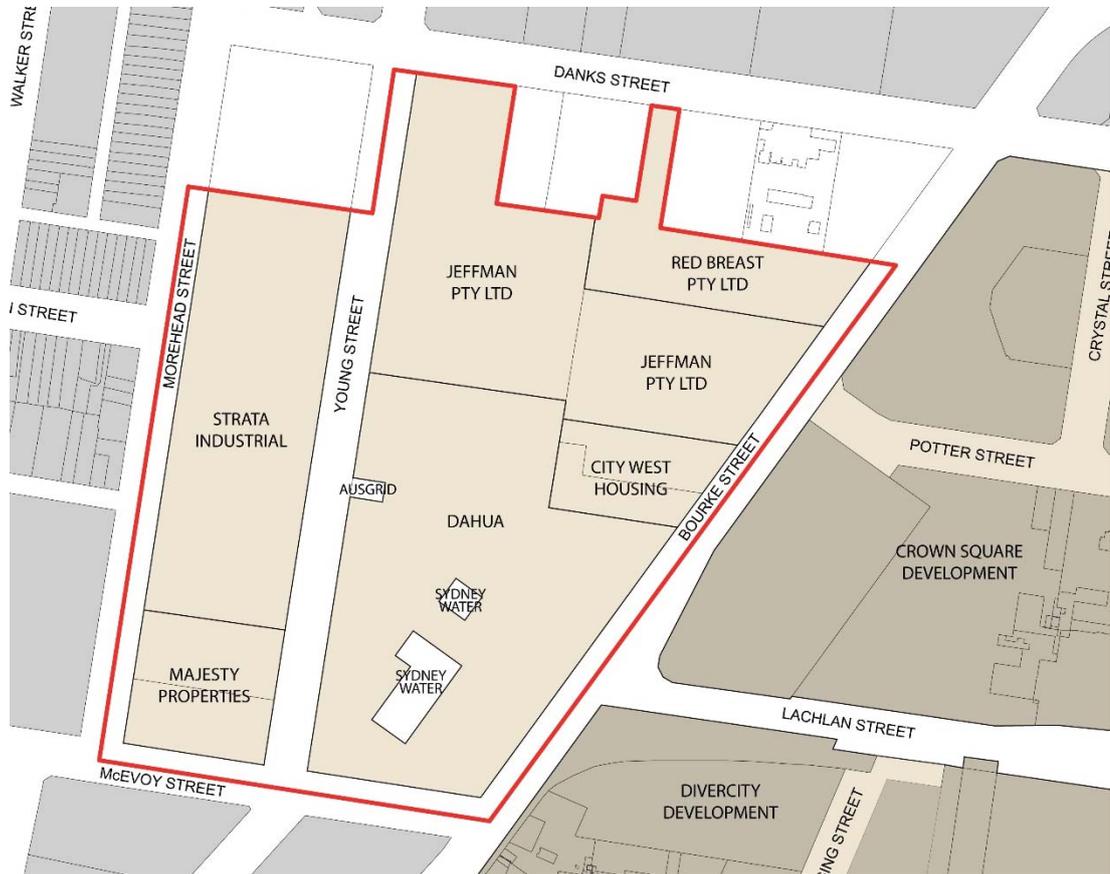


Figure 3: Danks Street South Precinct – Landowners



Figure 4: Danks Street South Precinct – Dahua Group site (looking north)



Figure 5: Danks Street South Precinct – Strata retail/commercial uses



Figure 6: Danks Street South Precinct – Corner of Danks Street and Young Street



Figure 7: Moore Park Gardens development – Corner of Bourke and Phillip Street

8. The largest site, at 903-921 Bourke Street, is owned by Dahua Group (the “Dahua site”), who purchased it from Sydney Water in 2015. This site includes two heritage listed buildings, the Pump House and the Valve House, which are still owned by Sydney Water. They are identified as owned by Sydney Water in the map at Figure 3. These buildings are still in operation and supply water to the eastern suburbs.
9. Three land parcels at 207-229 Young Street, 881-885 Bourke Street and 887-893 Young Street are owned by the same landowner, Jeffman Pty Ltd and Red Breast Pty Ltd. The site at 887-893 Young Street is occupied by Lawrence Dry Cleaners; the other two sites have commercial/retail tenancies.
10. The sites at 895-899 and 901 Bourke Street are owned by City West Housing. A development application for 72 affordable rental housing apartments and ground floor retail was approved by Council in April 2016, subject to the finalisation of a planning agreement. The sites are currently leased.
11. Current land uses in the precinct include some vacant land, one to two storey light industrial buildings and some retail and offices. The precinct also includes a small frontage to Danks Street, which offers a variety of boutique and specialty shopping and a hardware/timber yard.

12. The majority of new development in immediately surrounding sites is made up of residential apartment buildings. These vary in scale from four to 15 storeys in the 'Crown Square' development on the south-east of the precinct, and up to 20 storeys in the 'Moore Park Gardens' development on Phillip Street to the north of Danks Street, shown in Figure 7. The 'Diversity' development is in the Lachlan precinct and in its final stages of completion, with building heights ranging from 10 to 12 storeys, as shown in Figure 2.
13. Currently, there is significant construction activity in the Lachlan precinct, with building heights ranging from six to eight storeys, with some towers of 20 and 15 storeys. There has also been a number of lower scale mixed use developments on Danks Street.
14. To the west of the precinct, lies the Waterloo Conservation area, which consists of mostly Victorian terraces of one and two storeys.

Site Constraints

15. The precinct's former industrial uses have resulted in large land holdings, with little physical or social infrastructure, such as roads, community facilities or open spaces. There is also a complex arrangement of easements and other constraints that were addressed in the preparation of the draft planning controls and are summarised below:
 - (a) Drainage and sewer infrastructure – an underground stormwater culvert runs along the western side of the Dahua site, adjacent to Young Street. Sydney Water have confirmed they would not allow development over this culvert.
 - (b) Access and movement – there are no public roads within the precinct. The Dahua site is currently fenced, with access available only to Sydney Water maintenance vehicles.
 - (c) Existing easements and reservations – there is a complex arrangement of infrastructure related easements across the Dahua site, shown in Figure 8. This infrastructure will remain as the precinct redevelops. There are also high pressure underground water pipes associated with the Sydney Water buildings and high voltage electricity cabling. The relevant agencies have confirmed this infrastructure cannot be relocated or built over. Development, therefore, will need to be located around it.
 - (d) Heritage – there are four heritage listed buildings in the precinct. Two are owned by Sydney Water, the Pump House and Valve House, and are still operational, supplying water to the eastern suburbs. The heritage listing also includes the underground pipes associated with these two buildings. The other two heritage listed buildings are on Young Street, one is an electricity substation and the other is currently a commercial building.
 - (e) Sydney Water access – Sydney Water maintenance vehicles must have ongoing 24-hour access to the Pump House and Valve House. This access also requires allocated parking for vehicles and cranes up to 12 metres in length.

- (f) Reservation upgrade/WestConnex – approximately 2,200 square metres of the Dahua site, at the intersection of Bourke Street and McEvoy Street is zoned for arterial road reservation in Sydney LEP 2012, as shown in Figure 8. The Majesty Properties site at 230-234 Young Street is also affected. NSW Roads and Maritime Services (RMS) is the designated acquisition authority for the reservation. They are currently developing designs to upgrade the intersection to improve traffic flows between the WestConnex portal at Sydney Park and South Dowling Street. RMS have undertaken some consultation with City staff on the design of the intersection. City staff have expressed concern to RMS about the impact of the widening of the intersection and have provided urban design comments that seek to minimise the impact. RMS are aware the City is reviewing the planning controls, however, they have not provided design details for the upgrade. It is anticipated the City will be required to consult with the RMS as part of the gateway approval.

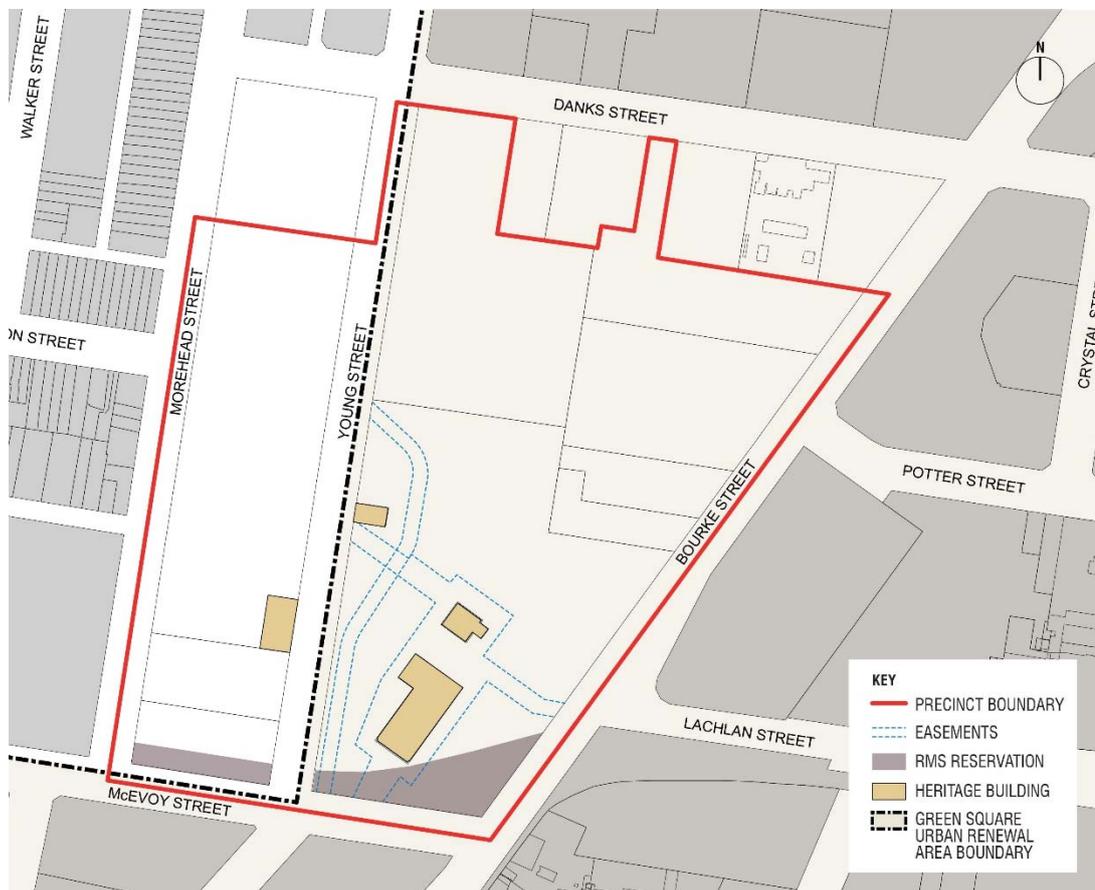


Figure 8: Danks Street South Precinct – Easements and reservations

Current Planning Controls

16. Sydney LEP 2012 applies to the precinct. The primary controls are:
- (a) Zoning:
- (i) B2 'Local Centre';

- (ii) B4 'Mixed Uses'; and
 - (iii) SP2 Infrastructure (Roads and Maritime Services road reservation).
 - (b) Floor space ratio (FSR):
 - (i) sites west of Young Street have an FSR of 1.75:1 to 2.0:1;
 - (ii) sites east of Young Street have an FSR of 1.5:1, with an additional 0.5:1 FSR for the provision of Green Square Community Infrastructure; and
 - (iii) all sites are eligible for up to 10% additional FSR for design excellence.
 - (c) Height of buildings:
 - (i) from 15 metres to 22 metres.
 - (d) Heritage

There are four heritage listed items:

 - (i) 903-921 Bourke Street (Pump House and Valve House and underground pipes, owned by Sydney Water);
 - (ii) 198-222 Young Street (electricity substation, owned by Ausgrid); and
 - (iii) 241 Young Street (industrial building, privately owned).
17. Sydney DCP 2012 currently provides detailed planning controls, including indicative road alignments, location and size of open spaces, setbacks and building heights in storeys.

Request to amend the planning controls

18. A request to amend the current planning controls was submitted in October 2014 by LEFTA Pty Ltd for the site at 824 Bourke Street, Waterloo. The site is occupied by a Toyota/Lexus dealership. This request sought to increase the permissible building heights from 25 metres to 50 metres and the FSR from a maximum of 2.5:1 to 6:1. The request was not supported by the City. The proponent withdrew the request in December 2015.
19. In November 2015, Dahua Group submitted a request to increase the permissible building heights from 15 metres to 85 metres for 903-921 Bourke Street, Waterloo. The request did not seek any other LEP amendments. The request was supported by technical studies, including:
- (a) heritage and archaeology;
 - (b) contamination;
 - (c) open space and public domain layouts;
 - (d) traffic and transport;
 - (e) stormwater management; and

- (f) urban design.
20. The City does not support the Dahua planning proposal request primarily due to the public domain layout and resultant built form. However, some of the above studies have informed the preparation of the proposed planning controls presented in this report.

Assessment of requests

21. The City engaged SJB Planning in May 2015 to assist in the assessment of the two requests and make recommendations on the preferred built form.
22. In addition to the assessment, SJB were to provide urban design principles and built form testing to guide the preparation of planning controls.
23. The findings from this assessment are summarised in the Urban Design Study (the Study) prepared by the City, shown at Attachment C. The Study defines the public domain layout and includes indicative location and function of new roads, open spaces, meeting places, land uses and street and pedestrian/bike connections to the wider Green Square and surrounding areas. It also provides detail on the built form testing and a recommended built form option. This option has informed the planning proposal at Attachment A and draft DCP amendment at Attachment B. The Study is discussed in the following sections.

KEY IMPLICATIONS

Danks Street South Urban Design Study

Testing of built form

24. SJB tested the permissible planning controls and found that only one site could achieve the current permissible FSR within the current permissible height controls as shown in Table 1. This is because of the constraints of easements, arterial road reservation, heritage and stormwater culverts.

Site (see Figure 3)	Site Area ⁽¹⁾	Total GFA	Permissible LEP FSR	Achieved FSR
Strata (industrial)	13,162	15,967	1.75:1	1.21:1
Majesty Properties	3,467	7,268	2.0:1	2.1:1
Jeffman/Red Brest	21,443	26,570	2.0:1 ⁽²⁾	1.24:1
Dahua Group	17,500	5,623	2.0:1 ⁽²⁾	0.32:1
City West Housing (approved development application)	2,738	4,889	2.0:1 ⁽²⁾	1.78:1

Table 1: FSRs achieved under current permissible height controls

Notes:

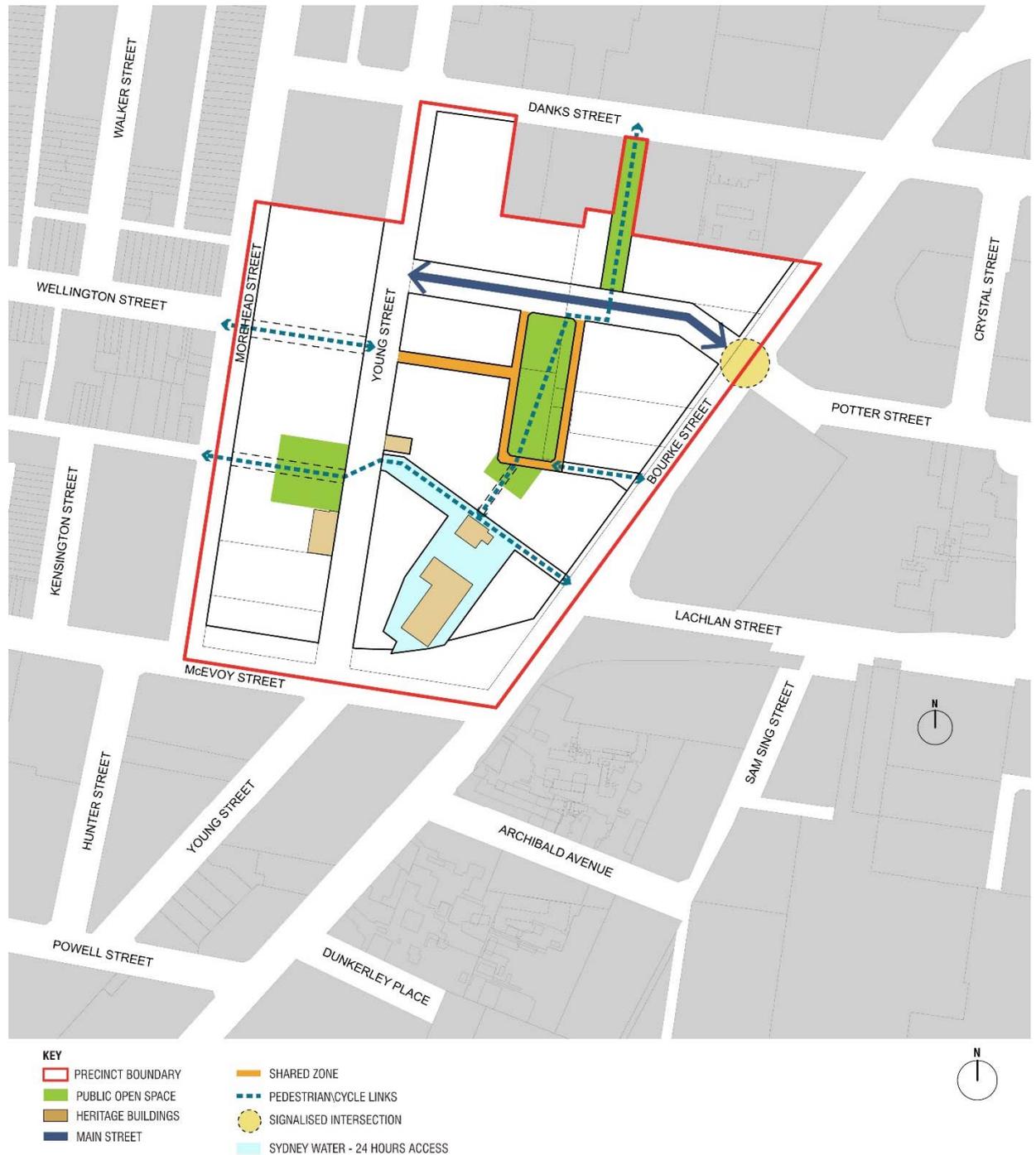
⁽¹⁾ Site area calculation includes areas that cannot be built over and is consistent with site area definition in Sydney LEP 2012, but excludes areas affected by the arterial road reservation.

⁽²⁾ Permissible LEP FSR includes 0.5:1 FSR under the Green Square Community Infrastructure scheme

25. The City and SJB undertook further testing of different built form scenarios to establish appropriate building envelopes to match the permissible FSR. A key consideration was to maximise the developable area, particularly on the Dahua site, which is encumbered with easements. The Study investigated options for site layout. Each option was assessed against key factors, such as:
- (a) maximising developable area;
 - (b) local context and transition to surrounding lower density;
 - (c) location of taller buildings;
 - (d) appropriate scale of buildings;
 - (e) permeability;
 - (f) staging;
 - (g) provision of high quality public domain;
 - (h) proximity to heritage buildings; and
 - (i) easements and reservations.
26. The recommended option is the result of this testing, concluding that, given the significant constraints, this option delivers the most appropriate built form, location of streets and open spaces. It also achieves the sites' development potential, while respecting the local context, and providing an appropriate transition to lower density residential areas.

Public Domain

27. The proposed public domain layout is shown at Figure 9. Three of the development sites will be providing the majority of new streets and a central park. A further smaller park will be provided on a single large development site on Young Street. The central park will be surrounded by a five metre wide shared zone. This is likely to be provided in stages, due to the different land ownerships. Phasing and staging of development, and the delivery of the new public domain has been taken into consideration
28. New streets will have a strong emphasis on slow traffic speeds and on quality landscaping and large street trees. They will provide access to the development sites within the precinct. Sydney Water will need to negotiate with Dahua and Roads and Maritime Services on future access and parking for their service vehicles within the existing easements. The proposed public domain layout provides Sydney Water access from Young Street, if their current access on McEvoy Street cannot be maintained.



CONNECTIONS

NOVEMBER 2016

Figure 9: Danks Street South Precinct – Public domain and connections

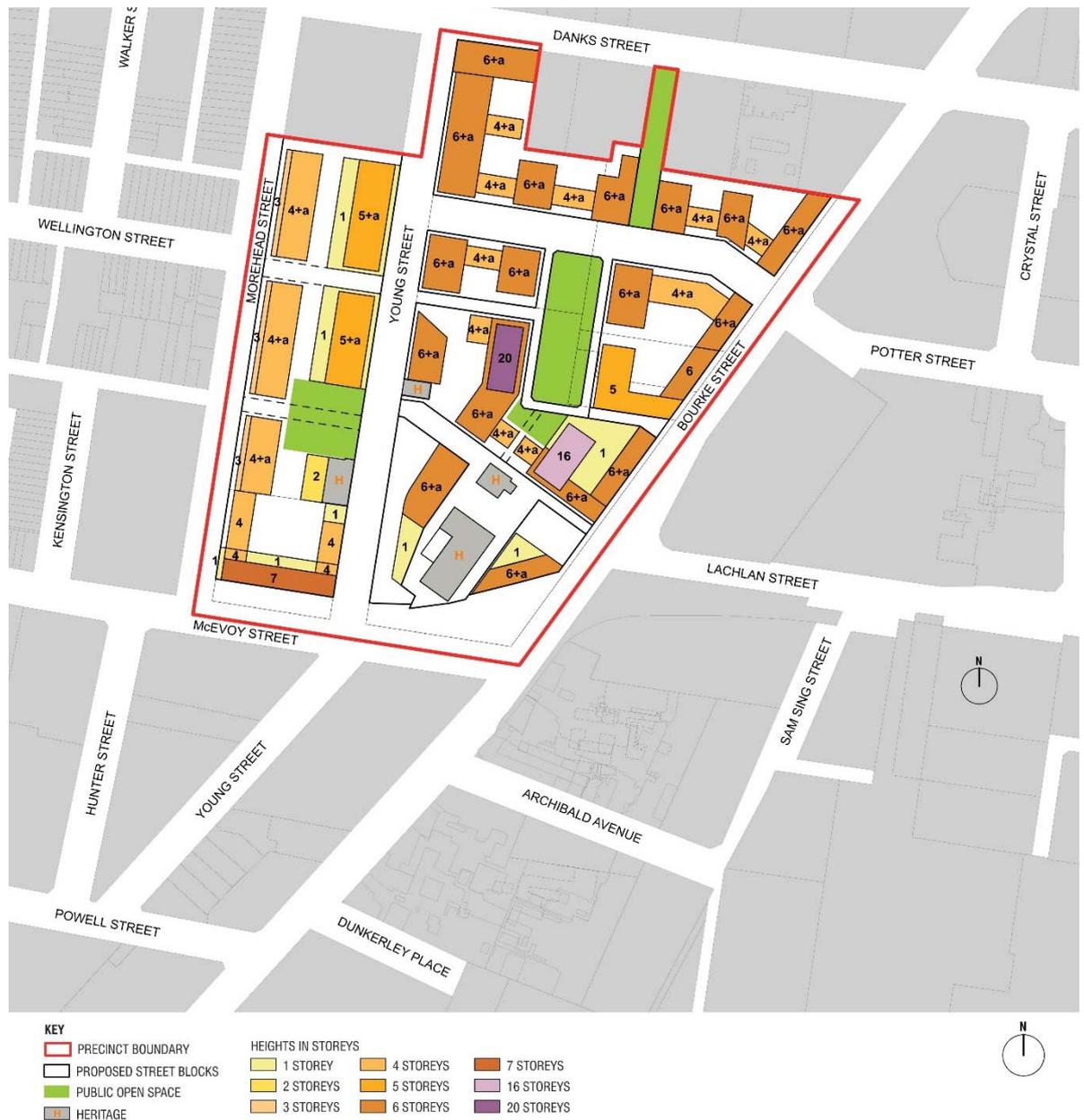
29. The sites that front Bourke Street will be required to dedicate a three metre setback for the Bourke Street shared bike/pedestrian path. This dedication will widen the path by a further three metres. This path has recently been constructed, from the Green Square station to Phillip Street, and will be funded through the Green Square Community Infrastructure scheme.

30. A new street parallel to Danks Street in the northern part of the precinct will connect Young Street to Bourke and Potter Streets. The street will be 20 metres wide and will maximise the opportunities for high quality landscaping and large street trees. Other new streets will be designed as shared zones.
31. The high quality landscaping that is already being delivered in other Green Square neighbourhoods, such as the Lachlan, North Rosebery and Epsom Park neighbourhoods, will be replicated. The draft DCP amendment (at Attachment B) identifies street tree species as suggested by the City's arborist.
32. Two new local parks will be provided and dedicated to Council through the planning agreement process at development stage. One, off Young Street, will be 1,600 square metres, and a second park, located in the centre of the precinct, will be around 2,750 square metres. The draft DCP amendment provides design guidelines and desired activities for the parks, including:
 - (a) passive recreation opportunities;
 - (b) clear links to the adjacent plaza area;
 - (c) clear links to adjacent neighbourhoods, Morehead Street and the Waterloo Conservation area, and the pedestrian/cycle link in the north of the precinct that connects to Danks Street;
 - (d) large zones of soft deep soil planting for large trees that provide good canopy cover;
 - (e) some smaller more intimate spaces, with opportunities for children's play equipment; and
 - (f) spaces for some small scale community events.
33. The new plaza will be located between the two Sydney Water heritage buildings. It will be approximately 1,500 square metres and is located at the terminus of the central park. It is not intended that this plaza will be dedicated to Council, due to the above and below ground Sydney Water infrastructure, but it will be publicly accessible. The edges of the plaza could offer outdoor dining spaces for local cafes, where appropriate.

Building height and location

34. The location of buildings is strongly influenced by existing easements and reservations and the requirement for Sydney Water maintenance vehicles to access the Pump House and Valve House.
35. The FSR and building height testing showed that, in order for the sites to realise the current FSR under Sydney LEP 2012, the built form would be predominantly between 10 to 15 storeys across most sites, similar to that seen in 'Crown Square', which does not deliver the most successful urban outcome.

36. The built form testing concluded that two towers, strategically located in the centre of the precinct within the Dahua site, would provide a higher quality built form outcome. These towers are proposed to have a maximum building height of 50 metres (16 storeys) and 65 metres (20 storeys). This includes the maximum permissible building height for design excellence. This is a similar scale to the Moore Park Gardens development to the north-east of the precinct and the Lachlan precinct to the south-east. The buildings that are predominantly east-west facing are lower, ranging between four and six storeys with provision attics. This scale minimises overshadowing to adjacent development sites.
37. The proposed built form, and heights in storeys, is shown in Figure 10.



HEIGHT IN STOREYS

NOVEMBER 2016

Figure10: Danks Street South Precinct – Heights in storeys

38. The design philosophy for the built form is to provide a variety of heights to create visual interest and provide opportunities for solar access to the public domain. Buildings will also provide a noise buffer to Bourke, McEvoy and Lachlan Streets. The taller buildings also help to define the public domain.
39. The City has assessed the overshadowing impacts of the proposed built form for compliance with the requirements in the NSW Government's Apartment Design Guide and the City's own planning controls, The overshadowing diagrams are shown in the Study at Attachment C.
40. Earlier iterations of the built form options shown in the Study were presented to the City's Design Advisory Panel on 17 May 2016 before finalising the proposed built form discussed above.
41. The Panel supports the Study approach and urban design principles. The Panel advised that impacts of taller buildings need to be studied for sun access to the public domain and provision of edge activation. Other feedback was to consider further the placement and separation of towers to ensure sufficient separation between the two towers on the Dahua site.
42. The Panel also recommended a reduced scale of buildings on the Jeffman/Red Breast site, which has predominantly east-west facing blocks. Taller buildings could be located on the corner of the new east-west street and Bourke Street to minimise overshadowing apartment buildings or open space.
43. The Study assumes building types will have a strong residential component, with commercial and retail uses in areas likely to be impacted by traffic noise, such as along McEvoy and Bourke Streets.
44. The building at the intersection of Bourke/Lachlan and McEvoy Streets shows a large floorplate at the ground floor level. This building will have good exposure to passing traffic and could therefore accommodate a large car showroom or larger scale retail.
45. It is proposed that the two buildings closest to McEvoy Street will be single aspect, with the habitable areas facing north toward the plaza. Their location makes car access problematic, and it is proposed that these buildings will be car-free, with no car parking. This is due to below ground Sydney Water infrastructure and easements. These buildings are close to Bourke Street and are therefore close to existing public transport options. The draft DCP amendment includes a provision clarifying that car parking will not be able to be accommodated due to Sydney Water infrastructure constraints.

Heritage

46. There are four heritage listed buildings in the precinct. Three are still used by Sydney Water and Ausgrid. The fourth currently functions as part of a bigger commercial site on Young Street. These are shown at Figure 8.
47. The Study proposes sufficient curtilage to these heritage items, and follows the existing easements around the Sydney water heritage listed buildings. The building at 241 Young Street will be fronted by the new park. The Ausgrid substation, at 198-222 Young Street will have a generous curtilage to three sides.

48. The plaza will provide curtilage for the two Sydney Water buildings, the Pump House and the Valve House, and service access to these buildings. Sydney Water has indicated they will need 24-hour access and parking associated with their use. A plan of management on how this will operate will be required to inform the concept design of the public domain and future development applications.

Access and movement

49. The planning proposal does not propose any increase in the maximum FSR. Therefore, the draft controls will not result in an increase in the residential or worker population and traffic generation that has not already been planned for.
50. The City's traffic engineers have reviewed the street layout and potential traffic and parking impacts of the recommended option. The review also shows that the traffic generation within the precinct would satisfy the Roads and Maritime Services' criteria for the proposed shared zone.
51. The planning proposal does not propose any amendments to parking rates. Consideration of appropriate parking provision and location will be made at the development application stage and will take into consideration the maximum rates, the proximity to public transport and access to development sites.

Compliance with Apartment Design Guide

52. The NSW Apartment Design Guide establishes guidelines for the design of residential apartment buildings that are three or more storeys. Amongst other objectives, the Apartment Design Guide requires that every habitable room, such as living room, kitchen and bedroom, must be naturally ventilated. Under separate objectives, buildings which are affected by noise from busy roads must achieve minimum internal noise levels.
53. The Apartment Design Guide requires appropriate internal noise levels to be achieved through building siting, orientation and design, rather than by closing windows and relying on air conditioning. Designing buildings which comply with these objectives is an emerging industry challenge.
54. This is particularly significant for the buildings that will face McEvoy Street and Bourke Street.
55. In developing the recommended built form, the City has worked to ensure the recommended option can respond to the requirements of the Apartment Design Guide, particularly objectives relating to noise and natural ventilation.

Land uses

56. Danks Street will retain its function as a local centre, continuing to provide bespoke retail services to local and visiting populations. The Danks Street South precinct will be mostly residential, with additional retail along Bourke and McEvoy Streets that will support and complement the local centre function of Danks Street. The precinct may also include some local retail, such as cafes and newsagents, in buildings adjacent to public domain areas.

57. Currently, some bespoke retail and commercial services are offered on Young Street. Whilst this retail would need to relocate during redevelopment, the proposed floorplates of the buildings fronting Young Street are sufficiently large to accommodate future retail and services.

Provision of infrastructure

58. The *Green Square Infrastructure Strategy and Plan* was endorsed by Council in March 2015. It provides a comprehensive overview of strategies, plans and studies that identify both the physical and social infrastructure required to support the growth of Green Square. The plan seeks to ensure that the necessary infrastructure is clearly understood so that it can be in place as development occurs. Key infrastructure requirements that will be required to support the growth of the precinct are discussed below.

Public Transport

59. There are a number of bus services along Bourke Street which service the precinct and provide connections north through Surry Hills and Redfern to Central Sydney, and south towards Green Square Town Centre and station, Rosebery and East Gardens. Transport for NSW and Sydney Buses regularly review services to monitor patronage and services hours. Under the NSW Government's Growth Buses program, additional service kilometres are introduced in areas of high demand.
60. Sydney buses have more recently increased services on Bourke Street citybound peak from 22 to 27 per hour, an increase of almost 23%. This has been achieved by insertion of more 303 services (commencing Mascot), as shown in Table 2. There are also additional late morning services on the M20.

Service	Services to City 7:30:8:30 weekdays	
	2012	2016
301	12	12
302	0	0
303	4	9
M20	6	6

Table 2. Increases in Bus services on Bourke Street

Source: Green Square Urban Renewal Area Updated TMAP (Parson Brinckerhoff, Sept 2012, p.35); [www.Sydney Buses.info](http://www.SydneyBuses.info)

61. The precinct is also approximately a one kilometre walk or cycle to Green Square train station, along Bourke Street. Whilst Bourke Street is a busy road, the recent upgrade of the shared path has improved pedestrian crossings, increased the number of street trees and improved the path surface, which has made it a more pleasant walking and cycling environment. The planned Waterloo Station is about a 1.4 kilometre walk away. The precinct is also within 400 metres of the proposed light rail route, on Potter and Crystal Streets. The City has ensured the preservation of the light rail corridor and the new streets along its alignment are being designed and constructed to future proof for its delivery by the NSW Government. Even though the NSW Government has not yet committed to it, the City continues to advocate strongly for its delivery. Figure 11 identifies the key bus routes, main roads and proposed light rail alignment.

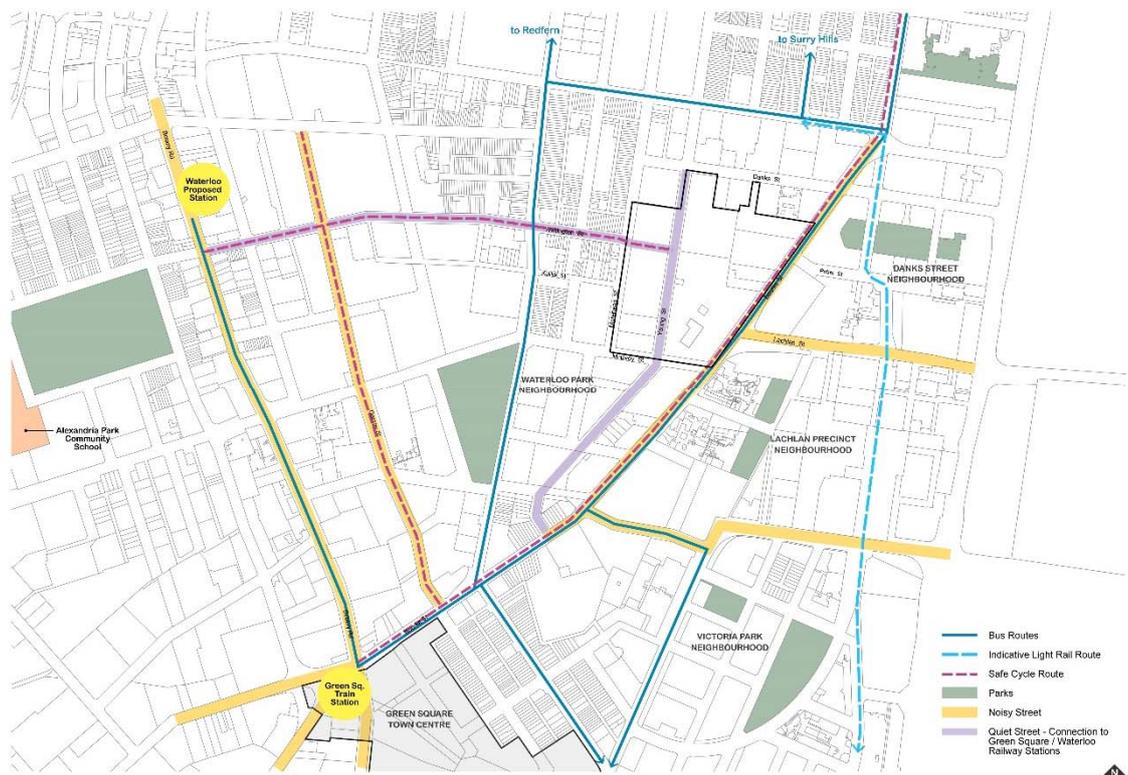


Figure 1 – Danks Street South Precinct – key transport routes

Schools

62. The City of Sydney continues to advocate for the provision of additional school capacity to meet the educational needs of primary and secondary schools across the whole of the Green Square urban renewal area. The Department of Education has announced strategies which focus on the expansion of existing primary and secondary school campuses, such as Alexandria Park. However, we are concerned that supply will not meet demand and there is poor accessibility to schools for families in new precincts, such as Danks Street South. The City continues to express these concerns to the NSW Government and is actively engaged with the Department of Education to facilitate the delivery of appropriate school facilities.

Healthcare

63. The City has supported the announcement of the proposed RPA HealthOne East at Green Square and is working with the Sydney Local District Health District, the Central and Eastern Sydney Primary Health Network and other providers to respond to the health needs of the rapidly growing Green Square community. Private medical services are also expanding.

Community facilities and childcare

64. The precinct is approximately one kilometre to the Green Square town centre and the new community facilities the City is providing, including the new library, Joynton Avenue Creative Centre and the Waranara Early Education Centre. The proposed planning controls also provide some flexibility in the building footprints and layouts for privately operated childcare facilities and gyms. The new central park will also provide opportunities for social gathering, passive recreation and localised community events.

Proposed amendment to Sydney LEP 2012

65. The proposed amendment to Sydney LEP 2012 will amend the maximum building heights by defining in more detail the location of taller buildings and the public domain layout. This requires a change to the current permissible heights shown in the Height of Buildings Map. Current heights in the map range from 15 metres to 22 metres. They are proposed to be changed ranging from three metres for the public domain areas to a maximum of 65 metres in the location of the tallest tower of 20 storeys.
66. The proposed amendment will also introduce an Active Frontages Map in the Sydney LEP 2012 to show those locations where retail and commercial uses are to be located.
67. It is proposed that two local clauses are added to the Sydney LEP 2012:
- (a) a clause to clarify that the land identified for arterial road reservation is not included in the calculation of site area on the Dahua site or the site at 230-234 Young Street; and
 - (b) a clause to specify that any building in this precinct demonstrating design excellence is eligible for additional building height only, and not be eligible for additional FSR. The urban design testing has demonstrated that additional FSR cannot be accommodated across the precinct without compromising building amenity. The Height of Buildings Map in the planning proposal, shown at Appendix A, shows the maximum building heights. Additional building height, resulting from a competitive design process, would be awarded through clause 6.21 of Sydney LEP 2012 Design Excellence. The draft DCP amendment defines the maximum number of storeys and the location of building height, including design excellence.
68. The planning proposal at Attachment A of this report provides the justification and evidence for the amendment, as described in this report.

Proposed amendment to Sydney DCP 2012

69. The draft amendment to Sydney DCP 2012 is shown at Attachment B. The draft DCP amendment provides detailed guidance on matters, including maximum building heights, setbacks, type and modulation and articulation to respond to reinforce public spaces, streets and prominent locations. It also includes specific design requirements for the design of the public domain and the competitive design process.

Strategic Alignment - Sustainable Sydney 2030 Vision

70. 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. This report is aligned with the following strategic directions and objectives:
71. Direction 4 - A City for Walking and Cycling – The planning controls require the provision of a three metre wide setback along Bourke Street to complement the existing shared pedestrian/cycleway on Bourke Street. In addition, new streets will be designed to accommodate local traffic only with an emphasis on shared zones. The draft controls also provide a pedestrian and cycle connection from local retail and services in Danks Street to McEvoy Street and adjacent neighbourhoods.
72. Direction 6 - Vibrant Local Communities and Economies – The residential component of the precinct will deliver dwellings immediately adjacent to a range of goods and services, employment opportunities, transport and social infrastructure. The future residential population will support the wider Green Square local economy. The commercial/retail component of the building at the intersection of Bourke and McEvoy Streets will provide new retail opportunities, further activating the area with an additional focal point for the local community and strengthening the local economy. The new retail will support and complement the local centre function of Danks Street.
73. Direction 8 - Housing for a Diverse Population – Redevelopment of the precinct will deliver approximately 1,275 market dwellings of different sizes, catering for a diverse range of future residents. It will also contribute towards delivery of affordable housing through a contribution of approximately \$17,600,000 under the current Green Square Affordable Housing Scheme.
74. Direction 9 - Sustainable Development, Renewal and Design – The proposed planning controls are based on principles that seek to achieve sustainable renewal. These include, for example, ensuring that built form delivers high levels of amenity for residents, fine-grain street grid and built form, open space and Water Sensitive Urban Design for the public domain. The design excellence provisions of Sydney LEP 2012 will continue to apply to the precinct, ensuring a high quality architecture and public domain.

BUDGET IMPLICATIONS

75. There are no budget implications. The provision of the new streets, plazas and parks will be delivered through Section 94 contributions and the Green Square Community Infrastructure scheme. It is anticipated these will be set out in future planning agreements between Council and landowners.

RELEVANT LEGISLATION

76. *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.*

77. On 27 January 2016, the Greater Sydney Commission Act 2015 commenced. It makes several amendments to the *Environmental Planning and Assessment Act 1979*, including removing the ability of the Minister for Planning to make a Local Environmental Plan (LEP) and giving this responsibility to the Greater Sydney Commission. Under the new legislation, the Greater Sydney Commission will be responsible for making the LEP amendment sought by the planning proposal. This report recommends that Council seek authority from the Greater Sydney Commission to exercise its delegation to make the LEP amendment.

CRITICAL DATES / TIME FRAMES

78. Should Council and the Central Sydney Planning Committee (CSPC) endorse the planning proposal for exhibition and consultation, it will be forwarded to the Greater Sydney Commission. The Greater Sydney Commission will then provide a Gateway Determination to either proceed, with or without variation, to consultation, or to resubmit the planning proposal.
79. The typical timeframes, once a Gateway Determination has been issued, are 21 days for public authority consultation and 28 days for public exhibition. The Gateway Determination will also specify a date by which the local environmental plan amendment is to be finalised.
80. Following public authority consultation and public exhibition of the planning proposal and draft DCP amendment, the outcomes will be reported back to Council and the CSPC.
81. In October 2012, the then Minister for Planning and Infrastructure delegated his plan-making functions to councils to improve the local plan-making process. In December 2012, Council resolved to accept the delegation. Following the making of the Greater Sydney Commission Act 2015 in January 2016, the Minister's delegation is now taken to mean the Greater Sydney Commission's delegation.
82. Council needs to receive an authorisation on a case-by-case basis to exercise the delegation. The authorisation is given through the Gateway process and means a faster plan-making process with less involvement of the Department of Planning and Environment. This report recommends Council seeks this delegation.

PUBLIC CONSULTATION

83. The public exhibition process and requirements will be informed by the Gateway Determination. Subject to the Gateway Determination, it is proposed to publicly exhibit the planning proposal and draft DCP amendment concurrently for a minimum period of 28 days with notification:
- (a) on the City of Sydney website;
 - (b) in newspapers that circulate widely in the area; and
 - (c) in writing to residents, landowners, community groups and relevant State Government agencies in the vicinity of the site.

84. A full package of exhibition material will be made available for viewing on the City of Sydney website, at the One Stop Shop at Town Hall House and at the Green Square Neighbourhood Service Centre.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

(John Davies, Specialist Planner)