

ATTACHMENT C

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**SUMMARY OF SUBMISSIONS RECEIVED
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, 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.

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	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>

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			<p>The City will liaise with RMS to establish appropriate pedestrian crossing facilities.</p> <p>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.</p> <p>Provision 3.3 Street Network in the draft DCP has been amended to include a provision to address this requirement.</p> <p>The City will liaise with Transport for NSW during the detailed design phase of the public domain and Eastern Transit Corridor.</p> <p>Provision 10.2 Transport Structure Plan in the Draft DCP has been amended.</p> <p>This is intentional given the constraints of Bourke Street between Wyndham and Phillip Streets.</p> <p>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.</p> <p>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.</p> <p>Noted. Fig 3.23 Access and Circulation in the proposed controls shows this area as closed to private vehicles.</p>
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.		
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.		
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).		
Transport Structure Plan	Insert "and cycle" after pedestrian in Provision 10.2. 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.		
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.		
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		

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	crossing and with the intention that is 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

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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, it 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>

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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 generational 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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			<p>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.</p> <p>Refer to response above.</p> <p>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).</p> <p>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.</p> <p>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.</p>
	Vehicular access	<p>Request no vehicular access is allowed from proposed Hinchcliffe Street into Emmanuel Lane or Tosh Lane.</p> <p>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.</p>	
	Shadow Diagrams		
	Built Form	<p>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.</p> <p>Current building height limits to sites 11C, 10B and 10A should be maintained.</p>	
		<p>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.</p>	
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.	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. 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.
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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<p>Council and Senayear Pty Ltd (by LFA Pty Ltd)</p>	<p>(GFA)</p>	<p>to ensure that the maximum GFA can be accommodated including "design excellence".</p>	<p>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.</p>
<p>97-115 Portman Street and 501-509 Botany Road</p>	<p>Building heights</p>	<p>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.</p>	<p>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.</p>
<p>Basement car parking</p>	<p>Inconsistencies in numbers</p>	<p>Seeks confirmation that the provision of basement parking beneath the public domain will remain.</p> <p>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.</p> <p>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.</p>	<p>It is not anticipated to amend the provisions relating to basement car parking beneath the public domain where shown in the DCP.</p> <p>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.</p>
<p>Through-site link</p>	<p>Solar access</p>	<p>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.</p> <p>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.</p>	<p>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.</p> <p>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.</p>
<p>Flexibility of land use</p>	<p>Flexibility of land use</p>	<p>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</p>	<p>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</p>

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	<p>flexibility to allow the landowner to provide a building that responds to market conditions.</p>	<p>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.</p>	<p>uses.</p> <p>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.</p>
<p>10. John Newell (by JBA Planning) 301-303 Botany Road</p>	<p>Standard Instrument LEP</p> <p>Height</p>	<p>Request that the full Draft LEP be made publicly available once drafted to enable a proper assessment of the draft provisions to be undertaken.</p> <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 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.</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>

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

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	<p>heights for the subject site.</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>
<p>Floor Space Ratio (FSR)</p>	<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>Streets</p>	<p>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.</p>
<p>Through-site link</p>	<p>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.</p>
<p>Land uses</p>	<p>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</p>
<p>Through-site link</p>	<p>Noted.</p>
<p>Through-site link</p>	<p>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.</p>
<p>Land uses</p>	<p>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</p>

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, 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)

	the first floor.	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>
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.	
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.	
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.	
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.	
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.	
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

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

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<p>site, 511-515 Botany Road</p>		<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>
	<p>FSR/GFA</p>	<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>
	<p>Building alignments and setbacks</p>	<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>
	<p>Street design</p>	<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>

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 Avenue, 811-815 Botany 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)

		<p>included in Figure 3.21.</p> <p>Street Type 2 (ie. Sony Leonard Street) could accommodate landscaping on both sides of the street.</p> <p>The DCP should allow for flexibility in street design if better landscape design and urban qualities are demonstrated.</p>	<p>Hansard Street.</p> <p>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.</p> <p>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.</p> <p>It is Council policy to promote permeable, fine grain urban development in the Green Square Town Centre.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>This represents the City's preferred position for ground and first floor residential units to achieve residential amenity.</p> <p>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</p>
<p>Building layout and Through-Site Links</p>	<p>Requirements for building breaks should not be included in the DCP and should be based on a merit consideration of the design.</p> <p>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.</p> <p>The form of buildings on the south side of the Hatbands site does not need to replicate the form of the northern building.</p>		
<p>Ground and first floor residential street setbacks</p>	<p>Requiring ground and first floor setbacks, resulting in a continuous 'undercroft' will limit opportunities to create good urban form at the street.</p>		

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)

		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.

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)

	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.
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.
13. Mirvac on behalf of Landcom/Mirvac/Leighton (LML)			

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

(sites 301 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)

<p>Clarify what defines "consolidated areas of direct sunlight" in provision 3.1.3 Green Square plaza.</p>	<p>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.</p>
<p>Table 3.2 Indicative Street types is inconsistent with drawings prepared by the LML and Aurecon for the City.</p>	<p>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.</p>
<p>The western temporary streets through the public domain (A or B) do not show a width or direction. Clarify.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>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.</p>	<p>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.</p>
<p>Section A Zetland Avenue shows commercial</p>	<p>The predominant land use is identified in Figure 4.1 Land Use –</p>
<p>Public domain – Street layout</p>	<p>Public domain –</p>

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)

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 Dnat 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.

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 Avenue, 811 Elizabeth Street, 811 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)

	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.		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
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 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.
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? 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

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, 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)

	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

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

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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	<p>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.</p> <p>Clarify/confirm the 2.75m setback to site 15D and the 6m wide colonnade to Shea's Park (The Drying Green) to site 19A.</p>	<p>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.</p> <p>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.</p> <p>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.</p>
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.	This control reflects the position established in the Draft City Plan.
Ventilation	Provision 6.10.5 Natural Ventilation in the Draft DCP deviates from SEPP 65.	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 - Cycleways	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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		<p><i>Transport Guidelines for Development 1996.</i> Clarify any impact on the LML's parking allowances.</p>	<p>remainder of the Town Centre. The relevant provisions of parking design have been included in the Draft DCP.</p>
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