

**ITEM 9. POST EXHIBITION – GREEN SQUARE TOWN CENTRE LIBRARY AND PLAZA –DRAFT PLANNING PROPOSAL AND DEVELOPMENT CONTROL PLAN AMENDMENT**

**FILE NO: S107149**

**SUMMARY**

The Green Square Town Centre is planned around a new public plaza and civic building - the Green Square Library and Plaza. This important project will be a catalyst for residential and commercial development in the Green Square renewal area and will establish the character of the future Town Centre.

The City held an international design competition for the Library and Plaza in 2012, won by Sydney-based architects, Stewart Hollenstein. The proposed design includes a below-ground library building underneath a landscaped civic plaza and a slim seven floor tower. This design differs from the built form originally envisaged for the site and expressed in the *Sydney Local Environmental Plan (Green Square Town Centre) 2013* (the Town Centre LEP 2013) and the *Green Square Town Centre Development Control Plan 2012* (the Town Centre DCP 2012). The proposed design will also have a reduced impact on overshadowing of the public plaza.

In early 2013, it was established that an amendment to the planning controls would be required to facilitate the new Library and Plaza. This formed the basis of *draft Planning Proposal: Green Square Town Centre Library and Plaza* (the draft Planning Proposal) and *Draft Amendment: Green Square Town Centre Development Control Plan 2013* (draft DCP amendment) shown at **Attachment A** and **Attachment B** respectively. Further additional amendments to the Town Centre DCP 2012 were also proposed to refine and update the document, including amendments to provide flexibility in the design and location of the transit corridor and to control vehicular access to the plazas from Barker Street.

On 26 August 2013 and 22 August 2013, Council and the Central Sydney Planning Committee (CSPC), respectively, resolved to seek a Gateway Determination to allow public exhibition of the draft Planning Proposal. At the same time, Council approved the draft DCP amendment for public exhibition with the draft Planning Proposal. The Council and CSPC resolutions are shown at **Attachment F**.

The Department of Planning and Infrastructure issued a Gateway Determination on 31 October 2013 allowing the draft Planning Proposal to be publicly exhibited. To improve the plan-making process, the Minister for Planning and Infrastructure delegated his plan-making powers under Section 59 of the *Environmental Planning and Assessment Act 1979* to Council in December 2012. The Gateway Determination, at **Attachment E**, authorises Council to exercise this delegation and liaise directly with Parliamentary Counsel to draft and make the local environmental plan, giving effect to the draft Planning Proposal.

The draft Planning Proposal and draft DCP amendment were placed on public exhibition for 28 days from 19 November 2013 to 17 December 2013. The City received three submissions: one from Transport for NSW and two submissions prepared by consultants on behalf of the two key landowners: The Green Square Consortium Pty Ltd (Mirvac and Leighton Properties) and Urban Growth NSW.

Submissions expressed general support for the new library and plaza design and the proposed changes to the height controls required to facilitate the design. However, concerns were raised about bus lane widths and bus stop locations, proposed changes to vehicle access routes across the Plaza, basement car-parking access arrangements and potential noise and light pollution from Plaza activities. A summary of submissions, including responses from the City, is at **Attachment C** to this report. Proposed amendments arising from submissions and further internal review are shown at Attachment B in pink text. Proposed amendments to figures are circled in pink.

This report recommends that the Central Sydney Planning Committee approve the draft Planning Proposal shown at **Attachment A** and note the draft DCP amendment at **Attachment B**.

## RECOMMENDATION

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in submissions received in response to the public exhibition of the *draft Planning Proposal: Green Square Town Centre Library and Plaza and Draft Amendment: Green Square Town Centre Development Control Plan 2013*, as shown at **Attachment C** to the subject report;
- (B) under section 39 (1) of the *City of Sydney Act 1988*, the Central Sydney Planning Committee approve the *draft Planning Proposal: Green Square Town Centre Library and Plaza*, as shown at **Attachment A** to the subject report, and make as a local environmental plan under section 59(2) of the *Environmental Planning and Assessment Act 1979*;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 18 February 2014 that Council approve the *Draft Amendment: Green Square Town Centre Development Control Plan 2013*, as shown at **Attachment B** to the subject report, noting the commencement date as the date of publication of the subject local environmental plan in accordance with clause 21 of the *Environmental Planning and Assessment Regulation 2000*; and
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the *draft Planning Proposal: Green Square Town Centre Library and Plaza* to correct any minor drafting errors.

## ATTACHMENTS

**Attachment A:** *Draft Planning Proposal: Green Square Town Centre Library and Plaza* dated August 2013

**Attachment B:** *Draft Amendment: Green Square Town Centre Development Control Plan 2013*

(Note - This attachment will be circulated separately from the Agenda Paper and to Central Sydney Planning Committee Members and relevant senior staff only. A copy will be available for viewing on Council's website and at the One Stop Shop and Neighbourhood Service Centres.)

**Attachment C:** Summary of submissions received during the public exhibition and responses from the City

**Attachment D:** Table of proposed amendments arising from public exhibition and internal review

**Attachment E:** Gateway Determination dated 31 October 2013

**Attachment F:** Resolution of Council of 26 August 2013 and Resolution of the Central Sydney Planning Committee of 22 August 2013.

**BACKGROUND**

1. The Green Square Town Centre is planned around a new public plaza and civic building - the Green Square Library and Plaza. This important project will be a catalyst for residential and commercial development in the renewal area and will establish the character of the future Town Centre.
2. The City held an international design competition for the Library and Plaza in 2012, won by Sydney-based architects, Stewart Hollenstein. The proposed design includes a below-ground library building underneath a landscaped civic plaza and a slim seven floor tower.
3. This design differs from the built form originally envisaged for the site and expressed in the *Sydney Local Environmental Plan (Green Square Town Centre) 2013* (the Town Centre LEP 2013) and the *Green Square Town Centre Development Control Plan 2012* (the Town Centre DCP 2012). It will also have a reduced impact on overshadowing of the public plaza. In early 2013, it was established that an amendment to the Town Centre LEP 2013 and Town Centre DCP 2012 would be required to facilitate the new Library and Plaza.
4. This formed the basis of *draft Planning Proposal: Green Square Town Centre Library and Plaza* (the draft Planning Proposal) and *Draft Amendment: Green Square Town Centre Development Control Plan 2013* (draft DCP amendment), shown at Attachment A and Attachment B, respectively. Further additional amendments to the Town Centre DCP 2012 were also proposed to refine and update the document.
5. The draft Planning Proposal and draft DCP amendment were placed on public exhibition for 28 days from 19 November 2013 to 17 December 2013. The City received three submissions, including one from Transport for NSW and two submissions prepared by consultants on behalf of the two key landowners, being the Green Square Consortium Pty Ltd (Mirvac and Leighton Properties) and Urban Growth NSW. The issues raised in submissions are discussed in detail later in this report.

**Green Square Library and Plaza**

6. The proposed Green Square Library will be located within the Green Square Town Centre. The Town Centre is an area of 13.74 hectares, located within the wider Green Square Renewal Area, 4.5 kilometres south of Central Sydney. It is identified as a 'Planned Major Centre' in the NSW Government's *Metropolitan Plan for Sydney 2036* and the *Draft Metropolitan Strategy for Sydney to 2031*. It is also identified as a future 'Activity Hub' in the City's *Sustainable Sydney 2030 Strategy*. The area will make a substantial contribution to the *Sustainable Sydney 2030* targets and directions that support sustainable urban renewal, sustainable forms of transport and affordable housing.
7. Residential and commercial development is proposed north and south of the Plaza, and a public square, Neilson Square, is proposed to the east, as part of the plaza development. Figure 1 shows the Library within the context of the proposed future street layout in Green Square Town Centre. Figure 2 shows the location and extent of the area included within the draft Planning Proposal.

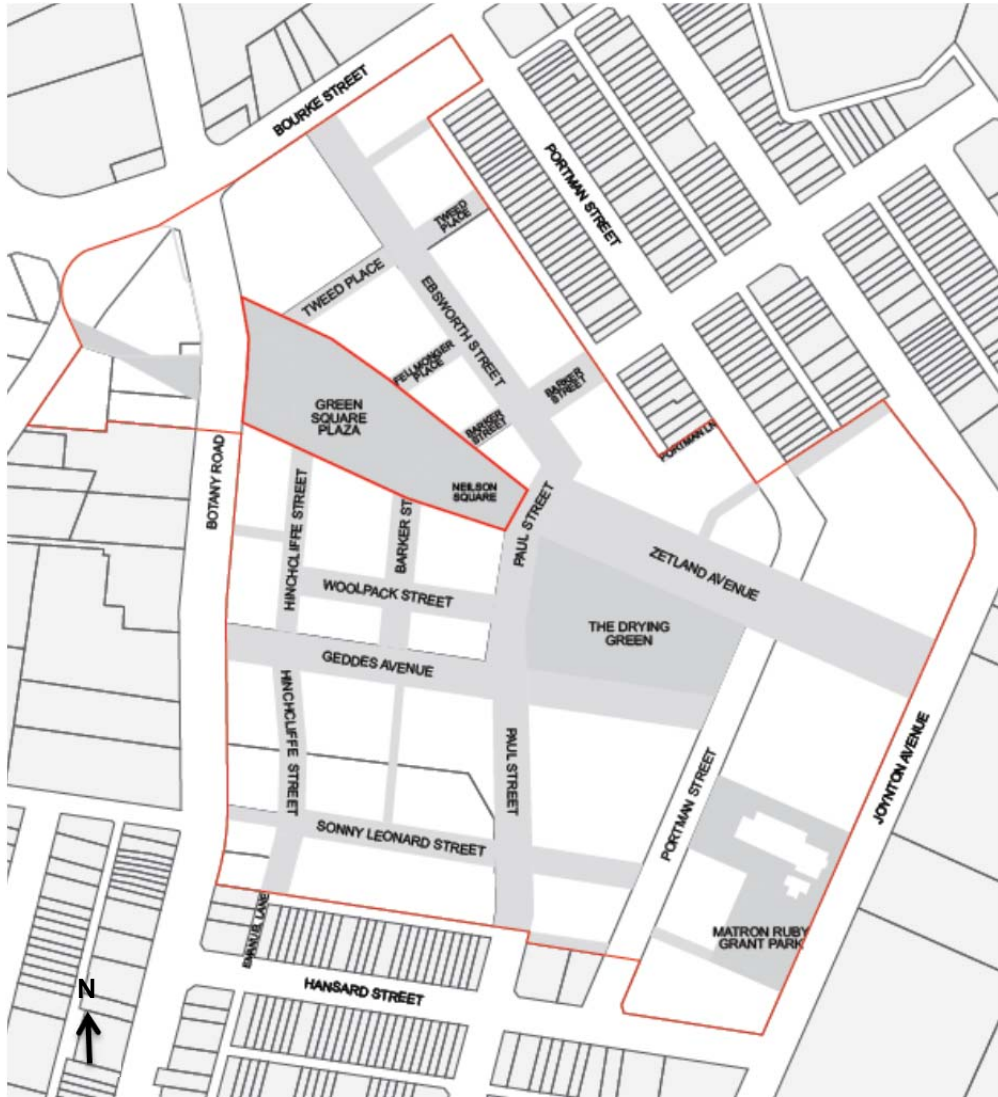


Figure 1 – Green Square Town Centre proposed street layout, including Library and Plaza site boundary



**Figure 2 – Green Square Town Centre and Library site boundary (in blue) and the Consortium-controlled sites boundary (in red)**

8. The Green Square Plaza has a total area of approximately 7,800 square metres, and the total excavation area required for the proposed library is up to 2,800 square metres. The Library and Plaza area is located within two existing lots, Lot Y DP 413956 (355 Botany Road) and Lot 1 DP 628547 (377-497 Botany Road), the development rights for which are controlled by Urban Growth NSW (previously Landcom) and the Green Square Consortium, consisting of Mirvac Projects and Leighton Properties, together referred to as the Consortium in this report. This is shown in Figure 2. In a planning agreement between the Consortium and City of Sydney Council (signed 20 August 2013), this land is to be dedicated to the City.
9. A Planning Proposal for the Consortium lands, shown in red in Figure 2, was lodged in May 2010 and approved by Council and the Central Sydney Planning Committee (CSPC) in December 2011. The Town Centre LEP was published on the NSW legislation website in September 2013.

### Current Planning Controls

10. The primary planning controls that currently apply to the Green Square Library and Plaza site under the Town Centre LEP 2013 and Town Centre DCP 2012 are:
  - (a) B4 Mixed Use zoning;
  - (b) a maximum building height of RL 26 for the eastern portion of the building envelope and RL 41.5 to RL 44.5 for the western portion of the building envelope in the LEP;

- (c) a maximum height of six storeys, five storeys and three storeys for the western built component of the site, with no building envelope or heights provided for the eastern section of the site;
- (d) a maximum base Floor Space Ratio (FSR) of 3.18:1 for the southern portion of the site (known as Area 2 on the Floor Space Ratio Map), and a maximum base FSR of 2.56:1 for the northern portion of the site (known as Area 3 on the Floor Space Ratio Map);
- (e) in Area 2, eligibility for additional floor space equal to 2.6% of the floor space dedicated to community facilities (not exceeding 2,500 square metres); and
- (f) in Area 3, eligibility for additional floor space equal to 4.0% of the floor space dedicated to community facilities (not exceeding 1,500 square metres). The Area 2 and 3 floor space of 4,000 square metres is intended for the library buildings.

### **Proposed Amendment to the Town Centre LEP 2013 - Height of Buildings**

11. The Green Square Library and Plaza design is currently being finalised with a development application likely being made in the second quarter of 2014.
12. The unique design proposed for the Green Square Library and Plaza by the winning team differs from the built form originally envisaged when the Town Centre DCP 2012 and Town Centre LEP 2013 were drafted. In incorporating a facility underground with a narrower tower element above ground, the design reduces the above-ground bulk. This will reduce the impacts of the building, in particular, through creating less overshadowing of the public plaza.
13. The draft Planning Proposal seeks minor amendments to the LEP height controls to facilitate the winning design. It is proposed that the Height of Buildings map is amended so that the maximum height of RL 44.5 is increased to RL 46. It is also proposed to create a blanket built envelope of RL 46 across the footprint required for the Library, allowing for the proposed seven floor tower plus roof services enclosed in an eight storey volume.

### **Draft DCP Amendment**

14. The winning Library and Plaza design also requires changes to the Town Centre DCP 2012 to ensure consistency in the planning controls. These primarily relate to the change in the building envelope and height. It is also proposed to strengthen references to the role of the Library in the Town Centre.
15. Further amendments to the Town Centre DCP 2012 are also proposed to refine and update the document, accounting for issues in its application that have arisen since the DCP was first prepared and adopted in 2012, and to clarify certain provisions.
16. These include, in the main, amendments to: provide some flexibility for the design and location of the transit corridor along the northern side of the Green Square Plaza; return the use of Barker Street along the Plaza to primarily serve activities in the Library and Plaza (rather than through-traffic); and include provisions for on-site waste facilities.

## KEY IMPLICATIONS

### Public exhibition and proposed additional amendments

17. Whilst the Gateway determination did not require Public Authority consultation to be undertaken, it was considered appropriate to notify Randwick Council, Botany Council, the Office of Environment and Heritage, Sydney Airport Corporation Limited, Sydney Water and Transport for NSW (TfNSW) of the proposed changes. Of these, only TfNSW has made a submission.
18. The public exhibition period was from 19 November 2013 to 17 December 2013. Exhibition materials were made available for viewing at the One Stop Shop and Green Square Library, and on the City's website. The City sent letters to approximately 300 landowners to notify them of the public exhibition. The exhibition was also advertised in *The Sydney Morning Herald* newspaper.
19. Two submissions were received from landowners in the Town Centre, including the Green Square Consortium and Urban Growth NSW. Minor changes are proposed as a result of matters raised in these submissions and in the submission from TfNSW.
20. A summary of submissions, together with the City's response is provided in Attachment C, with a more detailed summary of the proposed changes shown at Attachment D to this report.
21. Proposed changes to the draft DCP amendment resulting from public exhibition and further internal review are shown in pink text in Attachment B. Where amendment is to Figures, changes are denoted by being circled in pink.

### Transport for NSW

22. In summary, the key issues raised by TfNSW are:
  - (a) the lane widths given for bus priority access for the Eastern Transit Corridor should be wider (3.5m instead of the 3.25m given) to accommodate buses; and
  - (b) language should be amended to refer to the preferred bus route as 'potential' and a 'future light rail corridor' should be referred to as 'potential light rail'.
23. In response, the lane widths shown in the DCP are consistent with those being provided elsewhere in the Green Square renewal area and have been agreed with Sydney Buses as the minimum safe operating widths for buses.
24. The City has a strong preference for the Town Centre bus route, as shown in Figure 10.1 of the DCP and, similarly, will advocate strongly for future light rail through Green Square. The language used reflects those intentions. Therefore, amendments in response to this matter are not recommended.



**Urban Growth NSW**

25. Urban Growth NSW raised no objections, other than a request that the City confirm there will be no impact on the building envelopes and development potential of any development, other than the library. The City was also asked to confirm that the amendment to clause 3.1.3 Green Square Plaza and Figure 3.2 in relation to overshadowing reflects only the changed circumstances to the library building and not to any other development site.
26. In response, it is confirmed that the proposed amendment to the statutory built height standard and building envelopes relates only to the proposed library building and will not impact on the building envelopes or development potential of sites other than the library.

**The Green Square Consortium Pty Ltd**

27. The Green Square Consortium is generally supportive of the new Library and Plaza design and the increased flexibility to accommodate the transit corridor, however, concerns are raised over:
  - (a) proposed changes to vehicle access routes, specifically the closure of Barker Street to private vehicles and loss of temporary access across the Plaza, as it will impact on the orderly development of sites to the south of the plaza and reduce activation of the plaza;
  - (b) the shared basement between development sites owned by a neighbouring landowner and consortium lands and removal of a separate entry to site 17 that was previously shown; and
  - (c) the potential impact of noise and lighting generated by night time activities in the Plaza, and how this will impact on residential dwellings.
28. In response, the City is proposing that Barker Street be available for controlled vehicular access only and not open to general traffic, as it would be unsafe and disruptive to have traffic crossing the plaza within close proximity to the library building. A previously-considered temporary crossing would also impact on the construction of the library. It is expected that access to development sites to the south of the Plaza will be available from Geddes Avenue and Paul Street from approximately 2017. In the unlikely event that development of the affected sites occurs before the road network is in place, an alternative access via Botany Road could be negotiated. The City recognises the need to activate the Plaza and is designing a temporary shared traffic zone on the northern side of the Plaza to facilitate this.
29. A separate entry to site 17 for service vehicles has been re-instated. It is noted that shared basements in this instance are preferable and have worked well in sites in Pitt Street, Sydney.
30. The City is aware of potential conflicts between the proposed uses for the Plaza and residential development and is preparing a Plaza Management Plan that will accompany the development application for the Library and Plaza. In response to this concern, an additional provision is proposed to recognise this issue and explain that it will be managed through preparation of the Plaza Management Plan and the consideration of acoustic impacts during the development assessment process.

**Changes resulting from internal review**

31. An additional minor change is proposed to Figures 3.18 Indicative Transit Corridor Cross Section through Plaza and 3.24 ETC Terminus- Plaza section. The two drawings are identical and both will be amended to include a decreased width for the platform/footpath on the northern side of the plaza, from 4.5 metres to 3.3 metres. This new width reflects the current design for the library and plaza, accommodating the necessary separation between the proposed underground library building and the transit corridor, whilst ensuring the amenity of the plaza is not compromised.

**Strategic Alignment - Sustainable Sydney 2030 Vision**

32. *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.
33. The draft planning controls for the Green Square Town Centre and Library precinct are aligned with the following *Sustainable Sydney 2030* strategic directions and objectives:
  - (a) Direction 1 – A globally competitive and innovative city - The proposal supports innovation through helping to facilitate the development of a world-class library facility and plaza development at the centre of Green Square. The facility will act as a catalyst for development and will set the future character of the area.
  - (b) Direction 2 – A leading environmental performer - The Library is being designed to achieve high-level sustainability targets, incorporating energy-efficient design and fixtures, passive ventilation, excellent indoor environmental quality and water reuse.
  - (c) Direction 3 – Integrated transport for a connected city - Proximity to the Green Square train station and buses will ensure a high level of public transport use by library users. There are longer term plans for light rail through the Plaza. There are no provisions for additional parking for the Library, which will help in minimising car journeys to the Town Centre.
  - (d) Direction 4 – A city for pedestrians and cyclists - The Plaza design includes provisions for walking and cycling, including a public open space. Car-based travel is discouraged through limiting parking and public and staff bicycle parking will be provided. The proposed long opening hours for the Library building and active uses along the Plaza edge will also help to create a safe space for pedestrians. Changing the function of Barker Street to a service-road will further improve conditions for pedestrians.
  - (e) Direction 6 – Vibrant local communities and economies - The Planning Proposal will act as a catalyst for the development of a vibrant new Town Centre that serves the wider Green Square area. The Library and Plaza will be a focal point for the Town Centre, providing an anchor for retail, restaurant and other businesses to locate in the centre, supporting the local economy.

- (f) Direction 7 – A cultural and creative city - The Green Square Library and Plaza will play a key role in facilitating culture and creativity. The Library is intended to be a hub for community cultural and creative activity, with residents involved early in developing a participatory public art strategy. The Plaza design includes consideration of its role as a major events hub, and an amphitheatre has been included to provide a space for outdoor events.
- (g) Direction 9 – Sustainable development, renewal and design - This project is at the centre of the City's renewal plans for Green Square. The international design competition process illustrates a commitment to world-leading design quality. Sustainable Development is addressed through a range of measures, including aiming for a high Green Star sustainability rating of 6 stars.
- (h) Direction 10 – Implementation through effective partnerships - The proposal for the Green Square Library and Plaza has involved ongoing work with property developers of adjoining sites to dedicate land for the purposes of community facilities and land.

### **Social / Cultural / Community**

- 34. The draft Planning Proposal and amendment to the Town Centre DCP 2012 will provide greater certainty to the local community, landowners and developers by describing in greater detail the City's intended outcomes for the Green Square Library and Plaza.
- 35. The provision of a library and landscaped public domain will have positive implications for the current and future population, with substantial benefits for community cohesion, health and wellbeing.

### **Economic**

- 36. The Library and Plaza will act as a focal point for the Town Centre, providing a vibrant and attractive location for people to meet and recreate in and employment opportunities. This will have positive flow-on effects for the local economy through helping to support the local shops and businesses that are proposed in and around the Plaza.
- 37. The development of the Library and associated facilities, together with the development of adjacent sites within the consortium lands, will reinforce the City's commitment to the Green Square Town Centre, helping to realise the vision detailed elsewhere in this report.

### **BUDGET IMPLICATIONS**

- 38. There are no budget implications resulting directly from the recommended endorsement of the draft Planning Proposal and draft amendment to the Town Centre DCP. It is noted that the City has set aside a budget of \$53.4M for the Library and Plaza development.

### **RELEVANT LEGISLATION**

- 39. *Environmental Planning and Assessment Act 1979 and Environmental Planning and Assessment Regulation 2000.*

**CRITICAL DATES / TIME FRAMES**

40. The Gateway Determination requires that the amendment to the Local Environmental Plan is to be completed by 7 August 2014.
41. The City intends to lodge a Development Application for the Library and Plaza in April 2014, pending the amendment to the Town Centre LEP 2013 coming into effect.

**GRAHAM JAHN, AM**

Director City Planning, Development and Transport

(Toney Hallahan, Specialist Planner)