

ITEM 10. POST EXHIBITION - LACHLAN PRECINCT WATERLOO, PLANNING PROPOSAL AND DRAFT SYDNEY DEVELOPMENT CONTROL PLAN 2012 AMENDMENT**FILE NO: S108513****SUMMARY**

The Lachlan Precinct (the precinct) presents a significant opportunity to contribute to the vision and targets of *Sustainable Sydney 2030*. The precinct offers the potential to achieve approximately 3,060 new dwellings and 15,000 square metres of public open space. Its redevelopment will also involve the delivery of major infrastructure, including stormwater management, pedestrian and cycle links, a new street network and a transport corridor for the future light rail connection between the Green Square Town Centre and Central.

In April 2014, Council and the Central Sydney Planning Committee resolved to publicly exhibit draft planning controls for the precinct. The resolutions of Council and the Central Sydney Planning Committee are at Attachment F. The draft controls consist of a Planning Proposal to amend *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) and a draft amendment to *Sydney Development Control Plan 2012* (Sydney DCP 2012). The purpose of this report is to inform the CSPC of the outcomes of the public exhibition and to seek approval of the finalised Planning Proposal at Attachment A. The report also recommends that the CSPC note the draft DCP amendment at Attachment B.

The Planning Proposal and draft DCP amendment translate the current controls under *South Sydney Local Environmental Plan 1998* (South Sydney LEP 1998) and *South Sydney Development Control Plan 1997: Urban Design – Part G: Special Precinct No. 9: Green Square* (Green Square DCP 1997) and integrate them into Sydney LEP 2012 and Sydney DCP 2012 from which the precinct is currently excluded.

The proposed controls are substantially the same as the current controls and are discussed in detail in the body of this report. The Planning Proposal proposes a B4 Mixed Uses Zone consistent with Sydney LEP 2012 and translates the existing 'Building height in storeys map' to a building height map expressed in 'reduced levels'. Floor Space Ratio and design excellence provisions are also carried across and permit a maximum FSR of up to 2.2:1 (including design excellence floorspace) or 2.5:1 for solely commercial uses. The draft DCP amendment carries across the existing public domain controls with some minor amendments. Detailed urban form provisions include building heights in storeys ranging from four to eight storeys, with four 20 storeys towers and one 25 storey tower. The Green Square Affordable Housing levy will continue to apply to the precinct under Sydney LEP 2012.

On 4 June 2014, the Department of Planning and Environment issued a Gateway Determination to allow public exhibition of the Planning Proposal. The Gateway Determination is at Attachment E and authorises Council to liaise directly with Parliamentary Counsel to draft and make the local environmental plan under delegation, giving effect to the Planning Proposal.

The Planning Proposal and draft DCP amendment were publicly exhibited for 28 days from 22 July 2014 to 18 August 2014. The City received a total of five submissions from a local resident living adjacent to the precinct, Randwick City Council, Sydney Water, Transport for NSW and Roads and Maritime Services. The submissions raised matters relating to building heights, density and traffic impacts. A summary of all submissions, including responses from the City, is at Attachment C and significant issues are discussed in detail in the body of this report.

During the public exhibition, the City further developed the concept design of the public domain in the precinct. Some changes to the exhibited controls for street hierarchy and vehicular access are proposed to reflect this work. A list of all changes proposed to the exhibited controls arising from submissions and internal review is at Attachment D and notable changes are discussed in the body of this report.

This report also recommends that the Central Sydney Planning Committee note the Lachlan Public Domain Strategy, at Attachment G. This strategy is currently in draft form but when finalised will be the principal guiding document for the design of the public domain. It builds on the public domain provisions in the draft DCP amendment and provides a finer grain level of detail including guidance on street furniture, lighting, planting and pavement design and materials.

RECOMMENDATION

It is resolved that:

- (A) the Central Sydney Planning Committee note the matters raised in response to the public exhibition of *Planning Proposal: Lachlan Precinct and Draft Sydney Development Control Plan 2012 (Amendment No. XX) – Lachlan Precinct*, 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 *Planning Proposal: Lachlan Precinct* shown at Attachment A to the subject report, to be made as a local environmental plan under section 59 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 28 October 2014 that Council approve *Draft Sydney Development Control Plan 2012 (Amendment No. XX) – Lachlan Precinct*, as shown at Attachment B to the subject report, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan;
- (D) authority be delegated to the Chief Executive Officer to make minor variations to the Planning Proposal to correct any minor drafting errors;
- (E) the Central Sydney Planning Committee note the *Lachlan Public Domain Strategy*, dated October 2014 at Attachment G to the subject report, as the principal guiding document for the future design of the public domain in the Lachlan Precinct; and
- (F) the Central Sydney Planning Committee note the City intends to prepare a future amendment to *Sydney Development Control Plan 2012* to increase the setbacks required for street widening on some properties with frontage to Murray Street.

ATTACHMENTS

- Attachment A:** Planning Proposal: Lachlan Precinct. Dated October 2014. Post exhibition changes marked in red.
- Attachment B:** Draft Sydney Development Control Plan 2012 (Amendment No.XX) - Lachlan Precinct. Dated October 2014. Post exhibition changes marked in red.
(Note – This attachment will be circulated separately from the Agenda Paper and to Central Sydney Planning Committee members and relevant 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:** Table of submissions and responses from the City of Sydney
- Attachment D:** Post-exhibition changes to Planning Proposal and draft DCP amendment
- Attachment E:** Gateway Determination. Dated 4 June 2014
- Attachment F:** Resolution of Council dated 7 April 2014 and Resolution of the Central Sydney Planning Committee dated 3 April 2014
- Attachment G:** Draft Lachlan Public Domain Strategy. Dated October 2014
(Note – This attachment will be circulated separately from the Agenda Paper and to Central Sydney Planning Committee members and relevant staff only. A copy will be available for viewing on Council's website and at the One Stop Shop and Neighbourhood Service Centres).

BACKGROUND

Purpose of the report

1. This report seeks Central Sydney Planning Committee (CSPC) approval of a post-exhibition Planning Proposal relating to the Lachlan Precinct in Waterloo. The report also recommends that the CSPC note a supporting draft DCP amendment. The Planning Proposal, at Attachment A, seeks to amend *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). The draft DCP amendment, at Attachment B, seeks to amend *Sydney Development Control Plan 2012* (Sydney DCP 2012).
2. The draft Planning Proposal and draft DCP amendment were approved by Council and the CSPC for public exhibition on 7 April 2014 and 3 April 2014 respectively. The Council and CSPC resolutions are shown at Attachment F.
3. A Gateway Determination allowing public exhibition of the draft Planning Proposal was issued by the Department of Planning and Environment on 4 June 2014. The Gateway Determination is at Attachment E.
4. The draft Planning Proposal and draft DCP amendment were placed on public exhibition in accordance with the Gateway Determination from 22 July 2014 to 18 August 2014 and five submissions were received in response. The purpose of this report is also to inform the CSPC of the outcomes of the public exhibition. A summary of the submissions, and the City's response, is at Attachment C. Key issues raised in the submissions are discussed in detail later in this report.

The Lachlan Precinct

5. The Lachlan Precinct (the precinct) is located in the north-east of the Green Square Urban Renewal Area, and is bounded by Lachlan Street, Bourke Street, South Dowling Street and O'Dea Avenue. It is located between the Crown Square development to the north and Victoria Park to the south and provides a strategic link between these two areas. Critically, redevelopment of the precinct will enable the realisation of the Eastern Transit Corridor, a major transport corridor on Gadigal/Defries Avenue, connecting the Green Square Town Centre with Central. Figure 1 shows the location of the precinct.
6. While forming part of the precinct, the street block bounded by Murray, Amelia, Lachlan and South Dowling Streets in the north-eastern corner has different characteristics to the sites in the remainder of the precinct, being of smaller lot size and with existing public infrastructure. The street block is indicated at Figure 1. Key controls for this street block are already included in Sydney LEP 2012, namely zoning, height and floor space ratio (FSR) and, as such, are not contained in the Planning Proposal. The draft DCP amendment, however, contains some controls for this street block to address the interfaces with, and transition to, the remainder of the precinct.
7. The precinct also includes the 'Wulaba Park Site', shown in Figure 1, which is discussed later in this report.

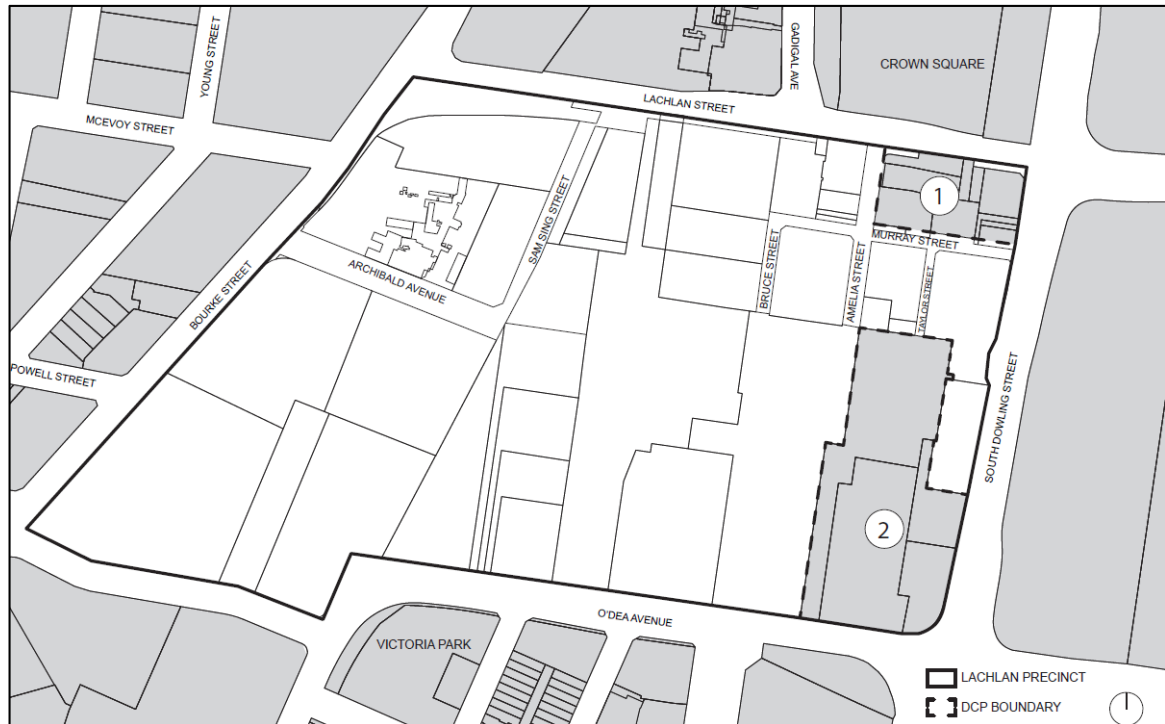


Figure 1. Lachlan Precinct Boundaries.

Murray/Amelia/Lachlan/South Dowling street block numbered ①, excluded from the Planning Proposal but covered by the draft DCP amendment.
'Wulaba Park Site' numbered ②

8. The precinct is located within the former Redfern Waterloo/Sydney Metropolitan Development Authority area, which became UrbanGrowth NSW on 1 January 2013.
9. The precinct has a total site area of approximately 170,000 square metres and is made up of 46 lots in 33 ownerships, ranging in size from 80 square metres to 33,000 square metres. There are also five lots held in strata, comprising multiple landowners, both residential and commercial. The irregular and complex land ownership pattern and lack of access within the precinct, has proved challenging in the planning for the redevelopment of some sites and the coordination of the delivery of drainage and road infrastructure.

History of Lachlan Precinct planning control amendments

10. In 2009/10, an urban design study was undertaken for the precinct to establish appropriate built form controls, having regard to the arrangement of lots and the need for public infrastructure provision. The study identified the best possible location of the road and open space network to ensure a rational hierarchy of streets, maximising open space and flood mitigation, while ensuring that lots remain developable and can achieve high quality built form outcomes.
11. The study was translated into planning controls that were incorporated into an amendment to the *South Sydney Development Control Plan 1997: Urban Design – Part G: Special Precinct No. 9: Green Square* (Green Square DCP 1997) which was publicly exhibited in late 2010. The draft controls were also exhibited in 2011 as part of the then draft Sydney LEP 2012 and draft Sydney DCP 2012.

12. When Council and the CSPC approved Sydney LEP 2012 and Sydney DCP 2012 in March 2012, the precinct was excluded from the approval. This was to enable further testing of development density and built form controls and to allow further consultation, which took place between December 2012 and February 2013.
13. In March 2013, Council adopted *South Sydney Development Control Plan 1997: Urban Design – Part G: Special Precinct No. 9: Green Square (Lachlan Precinct)* (Lachlan Precinct DCP). This was progressed as a more expedient way of updating the controls rather than amending Sydney LEP 2012 and was in response to strong development activity and to ensure redevelopment took place in accordance with the City's vision for urban renewal areas in *Sustainable Sydney 2030*.
14. The Lachlan Precinct DCP excluded the 'Wulaba Park Site', for which a site specific amendment to Green Square DCP 1997 had already been progressed. This site specific DCP amendment was adopted by Council in July 2012, ahead of the precinct-wide planning controls, to enable redevelopment of this large site and to facilitate a significant step in the precinct's renewal. The site, at 16,000 square metres, is the third largest landholding in the precinct and has strategic importance for the management of stormwater and public domain infrastructure. Public infrastructure requirements account for approximately 60 per cent of the site and include a 4,000 square metre park, Wulaba Park.
15. The amendment was largely consistent with the draft Lachlan Precinct controls exhibited in late 2010 mentioned above. It provides for building heights from six to nine storeys, with a single 25 storey tower and a 2:1 FSR, with an additional 10 per cent for undertaking a competitive design process. Applied together with the Lachlan Precinct DCP adopted in 2013, the controls achieve a coherent urban renewal outcome.
16. Following a competitive design process, a Stage 2 development application was approved for the site in May 2013 and development is now under construction.
17. This report recommends that the Lachlan Precinct DCP and Wulaba Park DCP controls be translated and integrated into Sydney LEP 2012 and Sydney DCP 2012. The controls are discussed later in this report.

Current Planning Controls

18. The current planning controls applying to the precinct are contained in *South Sydney Local Environmental Plan 1998* (South Sydney LEP 1998) and the Green Square DCP 1997 which includes the Lachlan Precinct DCP and the Wulaba Park DCP.
19. The controls were established after rigorous testing to ensure that the development potential of individual sites can be achieved while providing for the necessary infrastructure to support redevelopment of the precinct and achievement of a high standard of amenity.
20. The current planning controls enable the precinct to achieve a total of approximately 3,060 dwellings and 15,000 square metres of public open space at full development. Full development will also deliver major infrastructure, including stormwater management, pedestrian and cycle links, a new road network and a transport corridor for the light rail connection between the Green Square Town Centre and Central.

21. The primary controls are:
- (a) Zone 10(b) Mixed Uses over the eastern third of the precinct and Zone 10(e) Mixed Uses over the two western thirds (South Sydney LEP 1998);
 - (b) a 1.5:1 FSR across the whole site, with the potential for an additional FSR of up to 0.5:1 available for the provision of public benefits and infrastructure, and up to a total of 2.5:1 for additional retail and/or commercial development (Lachlan Precinct DCP);
 - (c) a maximum building height generally varying from four to eight storeys, with four 20 storey towers possible within the southern half of the precinct and a 25 storey tower located on the corner of South Dowling Street and O'Dea Avenue, within the 'Wulaba Park Site' (Lachlan Precinct DCP);
 - (d) public domain and infrastructure requirements, including new streets, parks and setbacks to be dedicated to Council in order to access additional floor space up to the maximum FSR (Lachlan Precinct DCP); and
 - (e) up to an additional 10 per cent FSR for the demonstration of design excellence through one or more competitive design processes (Lachlan Precinct DCP).
22. These primary controls are discussed in more detail below, in relation to their proposed inclusion in Sydney LEP 2012 and Sydney DCP 2012.

Amendment to Sydney LEP 2012 and Sydney DCP 2012

23. To provide greater certainty and consistency, the current principal DCP controls are proposed to be included in Sydney LEP 2012 and Sydney DCP 2012. There continues to be a significant level of developer interest since adoption of the Lachlan Precinct DCP in early 2013, and incorporating the controls within Sydney LEP 2012 and Sydney DCP 2012 will apply appropriate weight to the controls, in line with the rest of the City.
24. The inclusion of the current controls into the City-wide controls does not require any significant amendments. However, some minor amendments are necessary to translate the controls into a format compatible with a *Standard Instrument* compliant LEP.
25. The Planning Proposal at Attachment A sets out the proposed changes to Sydney LEP 2012, while the draft DCP amendment at Attachment B sets out the proposed changes to Sydney DCP 2012. Key controls are discussed in detail in the following sections.

Land Use Zoning

26. The Planning Proposal seeks to amend the land use zoning from Mixed Uses Zones 10(b) and 10(e) under South Sydney LEP 1998 to Zone B4 Mixed Uses under Sydney LEP 2012 in order to comply with *Standard Instrument* zoning.
27. The current Zone 10(b) provides for a predominantly residential land use mix with up to 25 per cent non-residential uses, and Zone 10(e) seeks to enable the continuation of existing industrial/high-tech land uses, while allowing the transitioning to residential uses on appropriate sites.

28. In the lead up to the review of planning controls in preparation of the now made Sydney LEP 2012, the City undertook, in 2006, a *Review of Zoning and Land Use in the Green Square Urban Renewal Area*. This review proposed a land use structure plan and sought to rationalise existing zones based on observed development patterns and trends. It proposed zones consistent with the *Standard Instrument*.
29. The review's land use structure is based around residential uses to the east, north and north-west of the renewal area and business uses to the area west of the Green Square Town Centre. Accordingly, a B4 Mixed Uses zoning, allowing for the Lachlan Precinct, in the east of the renewal area, to transition to predominantly residential uses, was exhibited during the exhibition of Sydney LEP 2012 in 2011.
30. Zone B4 Mixed Uses provides for a mix of compatible uses which would enable the integration of suitable business, office, residential, retail and other developments. While heavy industrial storage establishments and heavy industries are prohibited in the zone, other light industrial and storage uses would be permissible by virtue of not being prohibited. This would enable the existing storage and light industrial uses to continue while the precinct transitions to primarily residential use.
31. It would also allow for the inclusion of non-residential uses along the heavy traffic streets which bound the precinct and for a café/retail strip within the centre, along the future Archibald Avenue, which is set to become the community focus for the new residential population.

Floor Space Ratio

32. No change is proposed to the current FSR control. A base FSR of 1.5:1 currently applies, with a maximum of 2:1 achievable upon the provision of material public benefit, including land dedication for roads, open space and drainage/flood mitigation. Sydney LEP 2012 enables a similar FSR incentive for sites in Green Square, through the provision of a base FSR indicated on the FSR Map and Clause 6.14 *Community infrastructure floor space at Green Square*. Clause 6.14 enables additional floor space to be awarded for the provision of similar public benefits. Up to an additional 10 per cent FSR is also possible through the undertaking of a competitive design process in accordance with *Division 4 Design Excellence*. This is further discussed below.
33. Currently, where a development proposes only retail or commercial uses, with no residential use, the Lachlan Precinct DCP allows for up to 2.5:1 FSR. This higher floor space available for non-residential uses is to be achievable generally within the same building envelope as if it were residential, as commercial and retail buildings require less floor space for internal circulation than residential buildings. The intention of this provision is to encourage a true mixed use precinct and less sensitive uses along the heavy traffic roads that bound the precinct.
34. It is therefore proposed that, in addition to the 'community infrastructure' floor space permitted under provision 6.14, discussed above, an additional provision be included in Sydney LEP 2012 to provide for up to a maximum of 2.5:1 FSR for non-residential buildings. This floor space includes the community infrastructure floor space.

Building Height

35. No significant change is proposed to the heights of buildings in the precinct. Some minor amendments are proposed, where appropriate, to reflect development proposals that have come forward since adoption of the controls in 2013.
36. The building height for the precinct is currently framed as a height in storeys control, with the maximum height applied to indicative building footprints rather than a maximum building height across a lot or block, as in Sydney LEP 2012. These detailed footprints are proposed to be translated into 'bands' of height, consistent with how heights are shown in other masterplanned sites in Green Square. This approach can achieve both certainty of development outcomes and sufficient flexibility for the evolution of development proposals.
37. While it is more common for the height controls in Sydney LEP 2012 to be expressed as height in metres, it is sometimes more appropriate for heights to be expressed in 'reduced levels', which reduce or equate levels to a common datum, where detailed urban design work has established an appropriate built form outcome and new ground levels will arise from new infrastructure constructed. The Green Square Town Centre and Harold Park height controls, for example, are also mapped in 'reduced levels', rather than metres. 'Reduced levels' can reflect topography, finished street levels and flood levels, whereas height in metres is measured from the existing ground level.
38. In addition, expressing the height in metres is subject to rounding of building heights to three metre intervals in order to follow the *Standard Instrument* mapping conventions. In this precinct, rounding the heights up or down to this magnitude has the potential to either significantly impact upon residential amenity and solar access or to reduce development capacity.
39. Due to the extensive urban design testing undertaken to establish appropriate building footprints and heights, and detailed technical and public domain design work, it is therefore proposed to utilise 'reduced levels' for height mapping rather than height in metres.
40. It is also noted that for key new streets and open spaces the 'reduced levels' reflect a three metre height control on top of the finished ground level to be established. This is in line with the approach to height mapping in the rest of the Green Square renewal area and some of the City's other urban renewal areas, which shows a maximum three metre height limit for proposed key public domain.

Design Excellence

41. It is proposed to amend the current design excellence controls applying to the precinct to bring them in to line with the design excellence controls in Sydney LEP 2012.
42. The design excellence provisions in the current Lachlan Precinct DCP were introduced to ensure that new development, particularly the towers, demonstrates a high standard of design and urban form. The provisions reference requirements and considerations established in *Part 6, Division 4 Design Excellence* of Sydney LEP 2012, the accompanying Competitive Design Policy and the Design Excellence section of Sydney DCP 2012.

43. As in Sydney LEP 2012, the Lachlan Precinct DCP permits additional FSR or building height where a competitive design process has been held and the resulting development is deemed to have demonstrated design excellence. However, whereas Sydney LEP 2012 specifies that the additional FSR or height may not exceed 10%, the Lachlan Precinct DCP only includes a 10% limit for FSR and does not specify any maximum variation to the building height.
44. It is therefore proposed to introduce a 10% limit on the additional height that may be granted consent in recognition of design excellence to bring controls for the precinct, in this respect, in line with Sydney LEP 2012.
45. The exception, however, is the trigger for requiring a competitive design process – which in the precinct is nine storeys (approximately 30 metres) rather than seven storeys (25 metres) or a site area of 5,000 square metres under Sydney LEP 2012. It is proposed to continue this alternative trigger.
46. The nine-storey trigger was established in recognition of the constraints to achieve additional development capacity matched with high residential amenity, solar access and overall built form outcomes. Given that the majority of landholdings would exceed either or both of the Sydney LEP 2012 triggers, the nine storey trigger aims to reduce the likely additional design excellence floor space that the precinct would need to absorb. It is also less onerous for landowners in that, where significant infrastructure and dedication is required, fewer competitive processes are required. This alternative trigger, which would be expressed as a ‘reduced level’, is proposed as an additional clause in Sydney LEP 2012, clause 6.21(5)(a)(ii).

Streets

47. The map in **Figure 2** shows the street and open space layout to be included in the draft controls. The proposed street network is without significant amendment from the current controls. The key elements are:
 - (a) the north-south Gadigal Avenue, which is part of the Eastern Transit Corridor linking the Crown Square development in the north and Victoria Park in the south, and Archibald Avenue, which forms the main east-west street where the precinct’s ‘community hub’ will be located. These two primary streets are to be identified in the LEP through a three metre height limit and in the DCP; and
 - (b) a network of smaller local streets that provides access and circulation within the precinct, to be shown in the DCP.
48. The street configurations have been refined since adoption of the Lachlan Precinct DCP, following detailed technical design work by the City’s engineers to establish optimal movement patterns through the precinct and horizontal and vertical alignment levels for management of stormwater. Relevant controls in the draft DCP amendment therefore reflect this work.
49. Further internal review of the street network has been undertaken during the public exhibition period and some additional amendments are proposed to the street network. These are discussed later in this report.

Public open space

50. Public open space provisions from the Lachlan Precinct DCP will also be carried across without significant amendment. Three parks - The Rope Walk, Wulaba Park and Dyurulya Park – are proposed as shown at **Figure 2**, providing a total of approximately 15,000 square metres of public open space.
51. These three parks are proposed to be identified in the LEP Height of Buildings Map with a three metre height limit above the finished ground level, shown in 'reduced levels'.



Figure 2. Location of new streets and open space.

Other Controls

52. The remainder of the provisions in the Lachlan Precinct DCP are consistent with the current controls in Sydney DCP 2012. Any variations, for example, the provision which identifies the amalgamation of lots which will be required to realise the proposed built form controls, and infrastructure and public open space requirements, will be included within the "Specific Area" to apply to the precinct within Section 5 of Sydney DCP 2012.
53. General provisions applicable to the precinct which are currently contained within South Sydney LEP 1998 will also be carried forward. These include the heritage listing of the self-storage building at 866-882 Bourke Street and the RMS land reservation required to achieve road widening along Lachlan Street.

54. The Green Square Affordable Housing levy, which currently applies to the precinct through *Division 3* of South Sydney LEP 1998, will also continue to apply to the precinct under Sydney LEP 2012, which already contains the Green Square affordable housing provisions. Assuming full residential redevelopment of the precinct at an FSR of 2.2:1, a contribution of \$55.5M (at current rates) towards the provision of affordable housing in Green Square will be secured, equivalent to approximately 177 affordable housing units.
55. It will also be necessary to include controls for the precinct in several of the more general Sydney LEP 2012 maps. It is proposed to utilise the information shown on these maps and exhibited in 2011 for the precinct as part of the then draft Sydney LEP 2012.

Public Exhibition and submissions

56. The draft Planning Proposal and draft DCP amendment were placed on public exhibition from 22 July 2014 to 18 August 2014. Exhibition material was made available for viewing at the One Stop Shop, the Redfern Neighbourhood Service Centre and the Green Square Library. The City sent approximately 2,700 letters to landowners and residents to notify them of the public exhibition. The exhibition was also advertised in the Southern Courier and Central newspapers and on the City's website.
57. The Gateway Determination required the City to consult with the Department of Education and Communities, Transport for NSW, Roads and Maritime Services, the Office of Environment and Heritage, Sydney Water Corporation and Ausgrid. The City considered it would also be appropriate to consult with Randwick City Council, UrbanGrowth NSW and Sydney Airport Corporation.
58. Five submissions were received during the exhibition period from Transport for NSW, Roads and Maritime Services, Sydney Water, Randwick City Council and a local resident. The submissions are discussed below and summarised at Attachment C.
59. All proposed changes to the exhibited controls are detailed at Attachment D, with the majority arising from internal review and discussed in further detail later in this report.

Roads and Maritime Services and Sydney Water

60. Submissions from Roads and Maritime Services and Sydney Water raised no objections.

Randwick City Council

61. Key issues raised by Randwick City Council, and the City's response, are summarised below:

- (a) Redevelopment in the precinct will result in a significant increase in traffic on roads in the Randwick Local Government Area.

Response: The exhibited controls do not increase the FSR for the precinct and, as such, would not give rise to any additional dwellings and residential population over and above what is already permissible under the current controls. However, the City is aware of the traffic and transport issues in the precinct and the surrounding areas and continues to work closely with Transport for NSW and Roads and Maritime Services to address these issues.

- (b) The 'bonus FSR' scheme which operates in the Green Square area, including the precinct, can result in adverse urban design outcomes.

Response: The draft controls do not seek to amend the FSR controls. The FSR controls have been rigorously tested to ensure that development at the maximum permissible FSR minimises any adverse urban design outcomes.

Transport for NSW

62. Transport for NSW expressed in-principle support for the exhibited controls, while raising one significant issue.

- (a) It should be noted that the Eastern Transit Corridor, referenced in the Planning Proposal, does not have any formal status as a public transport corridor.

Response: The City considers the provision of reliable, frequent and fast public transport critical to the long term success of the wider Green Square Urban Renewal Area. The Eastern Transit Corridor is critical to achieving this goal and has long been identified in both City of Sydney and Transport for NSW plans, including the Green Square Transport Management and Accessibility Plan 2008 and its 2012 update. The City continues to work with both the NSW Government and private landowners to secure the corridor and work towards its realisation.

Local Resident

63. A local resident living to the north of the precinct raised concerns as discussed below.

- (a) Previous advice was that building heights would be 7 or 8 storeys maximum.

Response: The Wulaba Park DCP, adopted by Council in July 2012, and the Lachlan Precinct DCP, adopted in April 2013, introduced changes to permissible building heights from a predominant 7 and 8 storey height limit to a more varied range with some tower elements. The height controls in the Planning Proposal and draft DCP amendment are a direct translation of the heights permitted under the current controls, with the exception of some minor amendments to reflect development that has been approved since adoption of the controls. As such, the Planning Proposal and draft DCP amendment do not introduce height controls in excess of those already permissible under the current controls.

- (b) Amended building heights will block views from this property.

Response: The exhibited controls do not propose an increase in height above the current controls and, as such, the potential view impact is the same as that under the current controls. Notwithstanding this, Sydney DCP 2012 makes no provision for the retention of private views, giving priority instead to views from public places and 'outlook' from private property. Provisions within Sydney DCP 2012 make a clear distinction between 'outlook' and 'view' and seek to ensure residential apartments have outlook and reasonable amenity, rather than specific private views. All future development in the precinct will be subject to assessment against these provisions.

- (c) What is the justification for 20 storey buildings in the precinct?

Response: The exhibited controls permit four 20 storey towers and one 25 storey tower. Notwithstanding the fact that the exhibited height controls do not represent a departure from the current controls, the rationale for taller towers is to ensure development viability on sites burdened by significant dedication of land for public domain, such as streets and parks. Furthermore, allowing these towers leads to more low scale development elsewhere in the precinct and results in a variety and diversity of built form and greater public domain amenity.

- (d) Housing in the area does not represent affordable living.

Response: The exhibited controls will increase housing supply by facilitating the delivery of approximately 3,060 dwellings onto the market. Furthermore, the Green Square Affordable Housing levy will continue to apply to development in the precinct under Sydney LEP 2012.

Post-exhibition changes resulting from internal review

64. Since the draft controls were approved for public exhibition by Council and the CSPC in April 2014, the City has further developed and refined the design of the precinct's public domain. As a result, some changes to the exhibited controls are proposed to reflect the updated design.
65. Additional proposed changes give more clarity about how the controls are to be applied and provide greater consistency and accuracy of language and terminology.
66. The changes are not substantial and are within the scope given by the legislation. They are listed in Attachment D and discussed below and are shown marked in red in the Planning Proposal at Attachment A and the draft DCP amendment at Attachment B.

Changes to Planning Proposal

67. It is proposed to amend the proposed building heights map in the Planning Proposal to reflect minor lot boundary realignments arising from a revised subdivision plan prepared by the City of Sydney. Development applications approved since the Planning Proposal was approved for exhibition are also reflected. It should be noted that these changes do not result in any reduction of the development capacity or changes to the permissible building heights on any sites in the precinct and are solely to provide greater accuracy of the location of 'reduced level' bands on this map.
68. It is also proposed to make minor amendments to proposed clause 6.16 in the Planning Proposal (refer to Appendix A – LEP Drafting Notes of the Planning Proposal at Attachment A). This clause allows an FSR up to 2.5:1 where development is for solely commercial premises. The proposed amendment to the clause clarifies that the FSR of 2.5:1 is inclusive of additional floor space achievable for the provision of community infrastructure under clause 6.14 and that end-of-journey floor space under clause 6.13 is still achievable.
69. A further proposed change to the Planning Proposal includes an amendment to Clause 7.20 of Sydney LEP 2012. This clause establishes the circumstances under which preparation of a development control plan is required. The proposed amendment will ensure that the trigger for a competitive design process in the precinct under clause 6.21 is consistent with the trigger for preparation of a development control plan, which is the case for the remainder of the City under Sydney LEP 2012. This change will result in a reduced burden on landowners.

Changes to draft DCP amendment

70. Proposed changes to the 'Access and Circulation' and 'Public Domain and Local Infrastructure' maps of the draft DCP amendment result from the City's further review. These changes increase safety and amenity for pedestrians and vehicular permeability, particularly in the interim while significant construction activity is being undertaken. Notable changes include:
- (a) allow two-way vehicle movements along Sam Sing Street south of Archibald Avenue as an interim arrangement to improve vehicular access;
 - (b) change Murray Street and Tung Hop Street to two-way shared zones to improve pedestrian safety and amenity and provide greater vehicular permeability;
 - (c) ban the left turn movement from South Dowling Street onto Murray Street to minimise through traffic on this street and provide greater pedestrian safety and amenity; and
 - (d) introduce, in the long term, a ban on the right turn movement heading south on Sam Sing Street on to Archibald Avenue after an interim period of allowing this movement to facilitate access to sites for construction vehicles. When introduced, the ban will prevent through traffic entering the precinct to avoid the traffic lights at the Bourke Street/Lachlan Street intersection.

71. It is proposed to amend the 'Public Domain Dedication' map of the draft DCP amendment to reflect minor lot boundary realignments arising from a revised subdivision plan prepared by the City. Development applications approved since the draft controls were approved for exhibition are also reflected. It should be noted that these changes do not result in any reduction in the development capacity on any sites and are solely to provide greater accuracy and clarity.
72. A minor change to the wording of provision 5.4.3.9 (8) is proposed to reflect internal legal advice on the application of this provision and to clarify that integrated or shared basements may be negotiated by Council at the Development Application stage.

Proposed future amendment on Murray Street

73. The City's further development and refinement of the public domain also identified a need for additional dedication of land affecting two properties with frontage to Murray Street, at 5 Amelia Street and 867-877 South Dowling Street. The additional dedication would allow for a wider road reservation and increased pedestrian safety and amenity.
74. These changes are significant and outside the scope allowed by the legislation. They would trigger re-exhibition of the draft DCP amendment, adding a significant delay to the integration of the precinct into the city-wide planning controls.
75. On this basis, the proposed changes along Murray Street are not included as a post-exhibition change to the draft DCP amendment, but will be progressed by the City at a later date.
76. This report recommends that the CSPC note the intention to progress the changes to controls on Murray Street as part of a future amendment to Sydney DCP 2012. The future amendment would be subject to reporting to Council before and after public exhibition.

Lachlan Public Domain Strategy

77. Since the draft controls were approved for public exhibition by Council and the CSPC in April 2014, the City has developed the Lachlan Public Domain Strategy, at Attachment G.
78. The strategy complements and builds on the provisions in the draft DCP amendment and provides a finer grain level of design detail. It is one of a suite of City documents to guide and define the public domain design.
79. The strategy provides detailed public domain design overlays, including street sections, pavement and kerb design, and details on street furniture, lighting, planting and water sensitive urban design. It also provides illustrative designs, project ideas, concept plans and technical requirements for key parks and streets throughout the precinct.
80. It is recommended that the CSPC note the Lachlan Public Domain Strategy, as shown at Attachment G, as the principal guiding document for the design of the public domain in the precinct.

KEY IMPLICATIONS

Strategic Alignment - Sustainable Sydney 2030 Vision

81. *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.
82. The Planning Proposal and DCP controls for the Lachlan Precinct are aligned with the following *Sustainable Sydney 2030* strategic directions and objectives:
 - (a) Direction 3 - Integrated Transport for a Connected City – The provision of the north-south corridor, Gadigal Avenue, through the precinct will contribute to part of the proposed future light rail public transport route between the Green Square Town Centre and Central.
 - (b) Direction 4 - A City for Walking and Cycling – The layout of streets, pedestrian links and open space within the precinct has been informed by a broader principle of encouraging walking and cycling. The proposed street network will include separated cycleways and shared paths – providing route choice through the precinct and linking with cycleways in the wider area.
 - (c) Direction 8 - Housing for a Diverse Population – The precinct will provide an opportunity for residential development in close proximity to employment opportunities and transportation to Central Sydney and the Green Square Town Centre. Other requirements, such as the provision of a mix of dwelling sizes within a development and the Green Square affordable housing levy, will continue to apply and thus contribute to diverse housing options.
 - (d) Direction 9 - Sustainable Development, Renewal and Design – The redevelopment of the precinct will be founded on robust planning provisions that are based on principles for sustainable development. They include, for example, a ‘fine grain’ urban pattern for accessibility and legibility, built form that responds to its context, quality open space and equitable distribution, cycle/pedestrian friendly spaces and streets and contribution to the green links through the area. Design excellence will also be pursued through the application of the design excellence provisions from Sydney LEP 2012.

Social / Cultural / Community

83. The Planning Proposal and draft DCP amendment will provide greater certainty to the local community, landowners and developers by establishing the City’s intended outcomes for the precinct in a consistent manner through the application of the City-wide Sydney LEP 2012 and Sydney DCP 2012.
84. The current provisions that establish the direction for public domain improvements and land dedication for public open space and streets will be continued. Public benefits derived from the redevelopment of the precinct will deliver a fine-grained network of local streets, will improve the connectivity through the area, provide a vital public transport and cycling link between Victoria Park and Crown Square, and enhance the local public open space provision.

Economic

85. The exhibited controls have been robustly tested to ensure they incentivise redevelopment while minimising environmental and amenity impacts.
86. Continued developer interest in progressing development schemes under the current Lachlan Precinct DCP demonstrates the economic viability of the controls. Given that the exhibited controls are a translation of the existing controls, developer interest is expected to continue under current market conditions.

RELEVANT LEGISLATION

87. *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulations 2000*.
88. *State Environmental Planning Policy (Urban Renewal) 2010* (the Urban Renewal SEPP) – The Urban Renewal SEPP applies to the Precinct and seeks to facilitate orderly and economic development and redevelopment of sites in and around urban renewal precincts in the Sydney Metropolitan Area. The Planning Proposal and draft DCP amendment are consistent with the objectives of the Urban Renewal SEPP.

CRITICAL DATES / TIME FRAMES

89. Significant developer interest continues in the precinct. It is therefore timely to incorporate the precinct-specific controls into Sydney LEP 2012 and Sydney DCP 2012 to apply the appropriate weight to the controls, in line with the rest of the City controls.
90. The Gateway Determination requires that the amendment to the local environmental plan is completed by 8 June 2015.
91. To improve the plan-making process, the Minister for Planning delegated his plan making powers under Section 59 of the *Environmental Planning and Assessment Act 1979* to Council in December 2012.
92. The Gateway Determination for the Lachlan Precinct Planning Proposal, at Attachment E, authorises Council to exercise this delegation and liaise directly with Parliamentary Counsel to draft and make the local environmental plan. If the Planning Proposal is approved by Council and the CSPC, the City will commence this process. Once this process is complete and the plan is made, the amendment to Sydney LEP 2012 will come into effect when published on the NSW Legislation website.
93. If approved by Council, the DCP will come into effect on the same day as the amendment to Sydney LEP 2012.

GRAHAM JAHN, AM

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