

## **ATTACHMENT A**

**PLANNING PROPOSAL:  
GREEN SQUARE TOWN CENTRE – SITES  
355 BOTANY ROAD, 377-497 BOTANY ROAD  
AND 956-960 BOURKE STREET ZETLAND**





# Planning Proposal

## Green Square Town Centre

Sites 355 Botany Road, 377-497 Botany Road  
and 956-960 Bourke Street, Zetland

June 2016



# ATTACHMENT A

## CONTENTS

List of Figures.....	3
List of Tables.....	3
INTRODUCTION.....	4
SITE IDENTIFICATION.....	5
BACKGROUND.....	6
Sites location and development context.....	6
Site development.....	8
Planning Proposal request.....	15
Reallocation of floor space.....	15
Transfer of commercial floor space.....	18
PART 1 - OBJECTIVES AND INTENDED OUTCOMES.....	20
PART 2 - EXPLANATION OF PROVISIONS.....	21
Amendment to Floor Space Ratio Map.....	21
Amendment to clause 4.4A Exceptions to floor space ratio.....	21
PART 3 - JUSTIFICATION.....	22
Section A: Need for the Planning Proposal.....	22
Section B: Relationship to the strategic planning framework.....	23
Section C: Environmental, social and economic impact.....	33
Section D: State and commonwealth interests.....	34
PART 4 – MAPPING.....	35
PART 5 - COMMUNITY CONSULTATION.....	37
PART 6 - PROJECT TIMELINE.....	38
PART 7 - ATTACHMENTS.....	39
1a: Indicative Site 7 section without proposed floor space transfer.....	39
1b: Site 7 section – Indicative proposed scheme (subject to Planning Proposal).....	40
1c: Indicative Site 17 section without proposed floor space transfer.....	41
1d: Site 17 section – Indicative proposed scheme (subject to Planning Proposal).....	42
2: Consultancy advice on proposed commercial development, Savills Valuation, 201.....	43

## List of Figures

Figure 1: The subject sites within Green Square Town Centre.....	5
Figure 2: Green Square Town Centre aerial looking north towards the city (subject sites highlighted grey) .....	6
Figure 3: Green Square Town Centre public domain layout.....	7
Figure 4: ‘Development Sites’ defined in the DCP, subject sites highlighted .....	8
Figure 5: Current subdivision plan .....	10
Figure 6: Development sites after dedication of public lands .....	11
Figure 7: Current zoning map .....	12
Figure 8: Current height of buildings map .....	13
Figure 9: Current floor space ratio map.....	14
Figure 10: Indicative building envelopes showing height in storeys (looking SE) .....	15
Figure 11: Gross floor area (square metres) resulting from current FSR X site area.....	16
Figure 12: Proposed allocation of gross floor area .....	17
Figure 13: Current FSR map .....	35
Figure 14: Proposed FSR map .....	36

## List of Tables

Table 1: Schedule of land dedication.....	11
Table 2: Gross floor area (square metres) reconciliation .....	17
Table 3: Proposed allocation of gross floor area .....	17
Table 4: Reconciled gross floor area allocation .....	19

## INTRODUCTION

This Planning Proposal explains the intent of, and justification for, proposed amendments to *Sydney Local Environmental Plan (Green Square Town Centre) 2013* (the LEP) which applies to sites 956-996 Bourke Street, 355 Botany Road and 377-497 Botany Road, Zetland (the subject sites). It has been prepared by the City of Sydney following a request by consultants FDP on behalf of Mirvac Green Square Pty Ltd and UrbanGrowth NSW.

There are two parts to the amendments being sought:

- Part one seeks to formalise the floor space allocation for the individual development parcels that were created with subdivision of the three original parent lots. The subdivision created parcels for buildings and for public open space and roads to be dedicated to Council. The proposed LEP amendment distributes the total floor space of the three original lots, expressed as floor space ratio (FSR), to the development parcels for buildings.
- Part two seeks to transfer 4,200 square metres of commercial floor space from Development Sites 8A and 8B, fronting Botany Road, to sites 7 and 17, fronting the Green Square Library and Plaza. The amendment adds a clause to the LEP to permit the transferred floor space to be utilised only for commercial, entertainment complex and child care uses. The amendment is intended to improve the urban design outcome of sites 7 and 17 at the interface between the podium and the plaza, and bring greater activation with the provision of an entertainment complex and a childcare centre.

The proposed amendment to distribute the floor space allocation to the newly created development parcels with specific FSRs will provide an up-to-date plan, offering greater clarity about the achievable floor space. The proposed floor space transfer to be used as an entertainment facility and childcare centre will contribute to ensuring the Green Square Town Centre (the Town Centre) is attractive as a destination, providing for local employment and day-time activation, widening the range of local facilities and making the ground floor retail more attractive by increasing foot traffic. The loss of the floor space from sites 8A and 8B will not adversely affect their prospective development potential. A report has been provided, which demonstrates that a 4,200 square metres reduction of floor space on these sites will not impact on their future viability or attractiveness as office or business premises in the future.

The Planning Proposal is consistent with the intent of the current development controls with respect to maximum total gross floor area resulting from FSRs and building heights permitted. No increase in total gross floor area or height is proposed.

This Planning Proposal has been prepared in line with section 55 of the *Environment Planning and Assessment Act 1979* (the Act) and guidelines published by the Department of Planning and Environment, *A guide to preparing planning proposals 2012* and *A guide to preparing local environmental plans*.

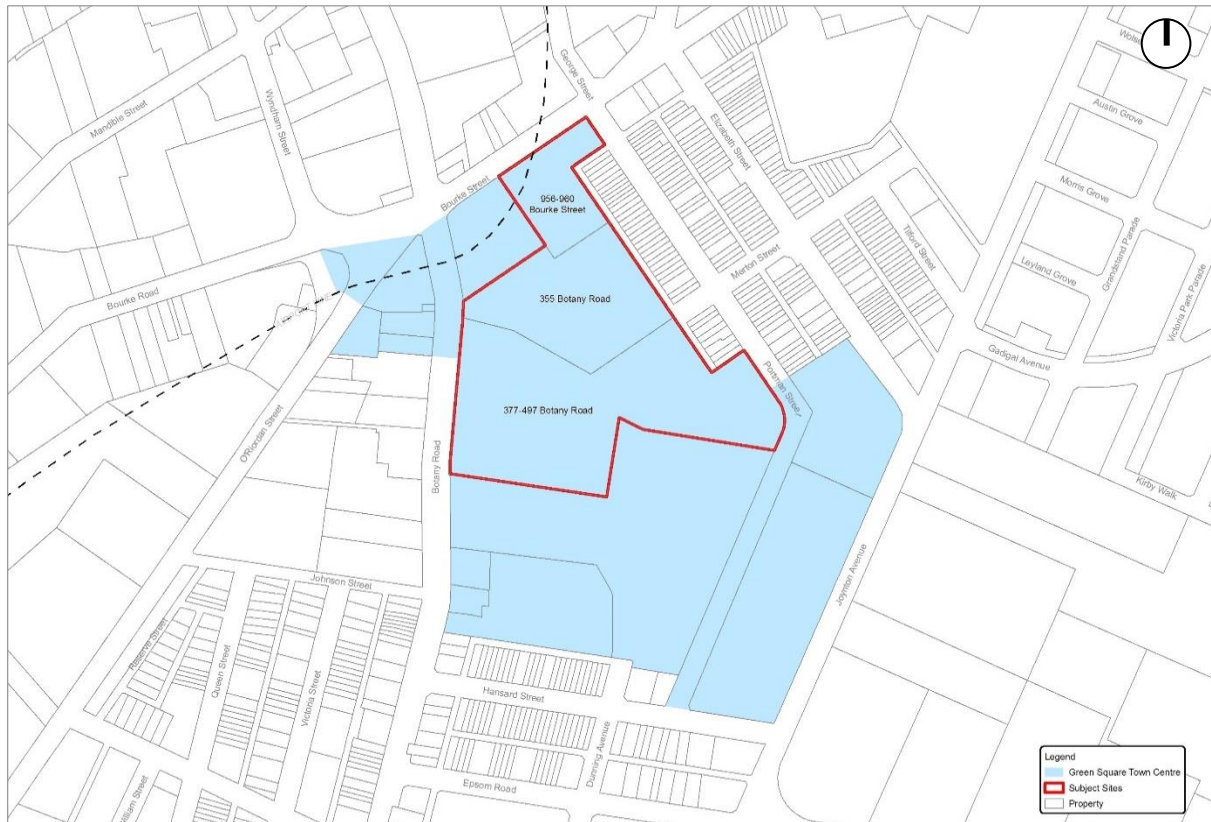
## SITE IDENTIFICATION

This Planning Proposal is in relation to the three original parent lots, owned by UrbanGrowth NSW, within the Town Centre, in the Green Square Urban Renewal Area (Green Square) in the City of Sydney Local Government Area, as detailed below and shown in Figure 1:

- 355 Botany Road Zetland Lot Y DP 413956
- 377-497 Botany Road Zetland Lot 1 DP 628547
- 956-960 Bourke Street Zetland Lot 10 DP 874704

The subject sites comprise a total area of 51,711 square metres.

Figure 1: The subject sites within Green Square Town Centre





## BACKGROUND

### Sites location and development context

The Town Centre covers an area of 13.74 hectares in some of Sydney's oldest industrial districts. It is located within Green Square, approximately 4.5km south of central Sydney and north of Sydney (Kingsford Smith) Airport. It is identified as a "strategic centre" in the NSW Government's *Plan for Growing Sydney*. The Green Square railway station services the Town Centre, providing a seven-minute train journey to the Sydney CBD (refer to Figure 2).

Figure 2: Green Square Town Centre aerial looking north towards the city (subject sites highlighted grey)



The Town Centre will be the lively residential, commercial, retail and cultural centre for Green Square. It will make substantial contribution to the City's *Sustainable Sydney 2030* targets and directions which foster sustainable urban renewal, sustainable forms of transport and centres with easy-to-get-to services, the arts and recreational activities.

The subject sites and their surrounds are set to undergo a radical transformation over the next 10 years as the development of the Town Centre takes shape.

Significant construction activity is underway to deliver a mixed use precinct defined by fine grain and tree-lined streets, parks and plazas. When fully developed after 2025, the Town Centre is projected to accommodate close to 3,900 dwellings, home to about 7,500 residents, and 8,500 workers.

The Town Centre is in multiple ownership with UrbanGrowth NSW, in partnership with Mirvac Green Square Pty Ltd, and the City of Sydney being the major landowners. The subject sites, the subject of this Planning Proposal, represent 5.16 hectares of land within the Town Centre core.

Construction works underway include: soil remediation; construction of new streets (Ebsworth Street, Barker Street and Tweed Place); demolition of the former Waverley depot; construction of the new Green Square Library and Plaza; refurbishment and adaptation of heritage buildings in the former

# ATTACHMENT A

South Sydney Hospital site for the Green Infrastructure Centre, the Joynton Avenue Creative Centre, the Banga Community Shed and the Waranara Early Childhood Centre; and works on the Green Square stormwater drain. Significantly these works will deliver the essential infrastructure and public domain necessary to support the Town Centre development. Figure 3 shows the new public domain layout including streets, plazas and parks to be dedicated to Council.

Construction is also significantly underway for private buildings north of the Green Square Plaza including the development on Botany Road by Crown Group which will accommodate 400 dwellings, a multi-purpose function facility and retail, and Mirvac Green Square developments on Ebsworth Street to build 462 apartments, a supermarket and shops. The first residential building completed in the Town Centre is the City West Housing development of 104 affordable housing units occupied early in 2016. A further 1,100 apartments have been approved within the Town Centre since 2013.

Figure 3: Green Square Town Centre public domain layout



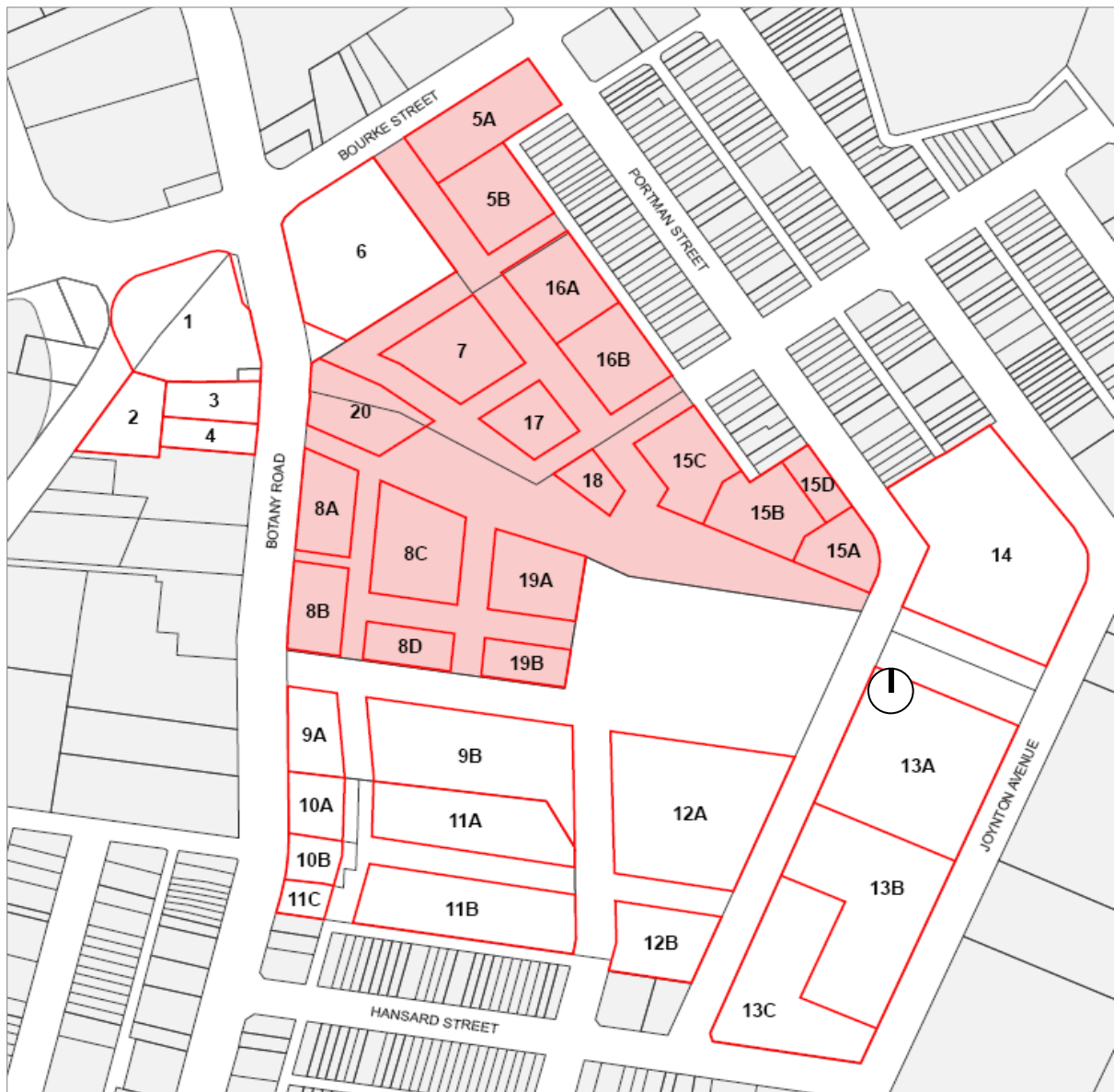
## Site development

The current planning controls for the Town Centre are under two environmental planning instruments:

- *Sydney Local Environmental Plan (Green Square Town Centre) 2013* (the LEP) applies to the subject sites; and
- *Sydney Local Environmental Plan (Green Square Town Centre–Stage 2) 2013* applies to the rest of the Town Centre sites.

Detailed design controls are under *Green Square Town Centre Development Control Plan 2012* (the DCP). The DCP defines the public domain network including parks, plazas and streets and the building lots or 'Development Sites' as shown at Figure 4.

Figure 4: 'Development Sites' defined in the DCP, subject sites highlighted



The above controls replaced the previous Town Centre controls under *South Sydney Local Environmental Plan 1998* and *South Sydney Development Control Plan 1997*. These controls operated as a "deferred matter" under the Act. That is, the LEP provisions were suspended from operation until such time as the land becomes "un-deferred" or formally rezoned from industrial to mixed uses. This "deferral" mechanism continues to be used for the Town Centre to ensure the essential infrastructure to support the high density redevelopment to higher order uses is in place at the time of development.

The mechanism for un-deferring land is a commitment by the site owner/developer to contribute to the delivery of the essential infrastructure and land, as set out in the *Green Square Town Centre Infrastructure Strategy 2006*. The commitment is established in a voluntary planning agreement (VPA) negotiated with the City of Sydney upon the request of the site owner/developer. The rezoning of the subject sites under the 2013 LEP was subject to the execution of a VPA between Mirvac Green Square, UrbanGrowth NSW and the City of Sydney. For other lands in the Town Centre under the 2013 LEP – Stage 2, rezonings have progressively been made as individual landowners are ready to participate in the Town Centre scheme and commit to a VPA.

The LEP applying to the subject sites came into force on 13 September 2013. It increased the total floor space from the previously permissible 161,100 square metres to 210, 673 square metres and changed the mix of permissible uses from industrial to higher order mixed uses.

The commitments under the VPA also became effective at the time of the rezoning. The VPA secures a range of public benefits which will contribute towards delivering the essential infrastructure necessary to support development in the Town Centre:

- remediation of land, formation of levels and dedication by nominated dates of that land to Council for public roads and the Green Square Plaza;
- construction of roads;
- monetary contributions for infrastructure and services within the Town Centre;
- connection of buildings to Council's Green Infrastructure;
- and appointment of a Place Manager for 4 years, commencing three months prior to the occupation of the first residential dwelling.

In November 2014 the original parent lots were subdivided to facilitate development on the Development Sites and the dedication of land for roads and open space to Council in line with the dates committed under the VPA. A subsequent subdivision approved in July 2016 split the lot south of the Green Square Plaza into two. The subdivision created a separate lot containing the future commercial towers within Development Sites 8A and 8B, fronting Botany Road. The current subdivision plan is shown at Figure 5.

Figure 5: Current subdivision plan



The bulk of the public domain lands have been transferred to Council. Figure 6 and Table 1 illustrate the location and description of both the dedication lands and Development Sites.

Figure 6: Development sites after dedication of public lands



Table 1: Schedule of land dedication

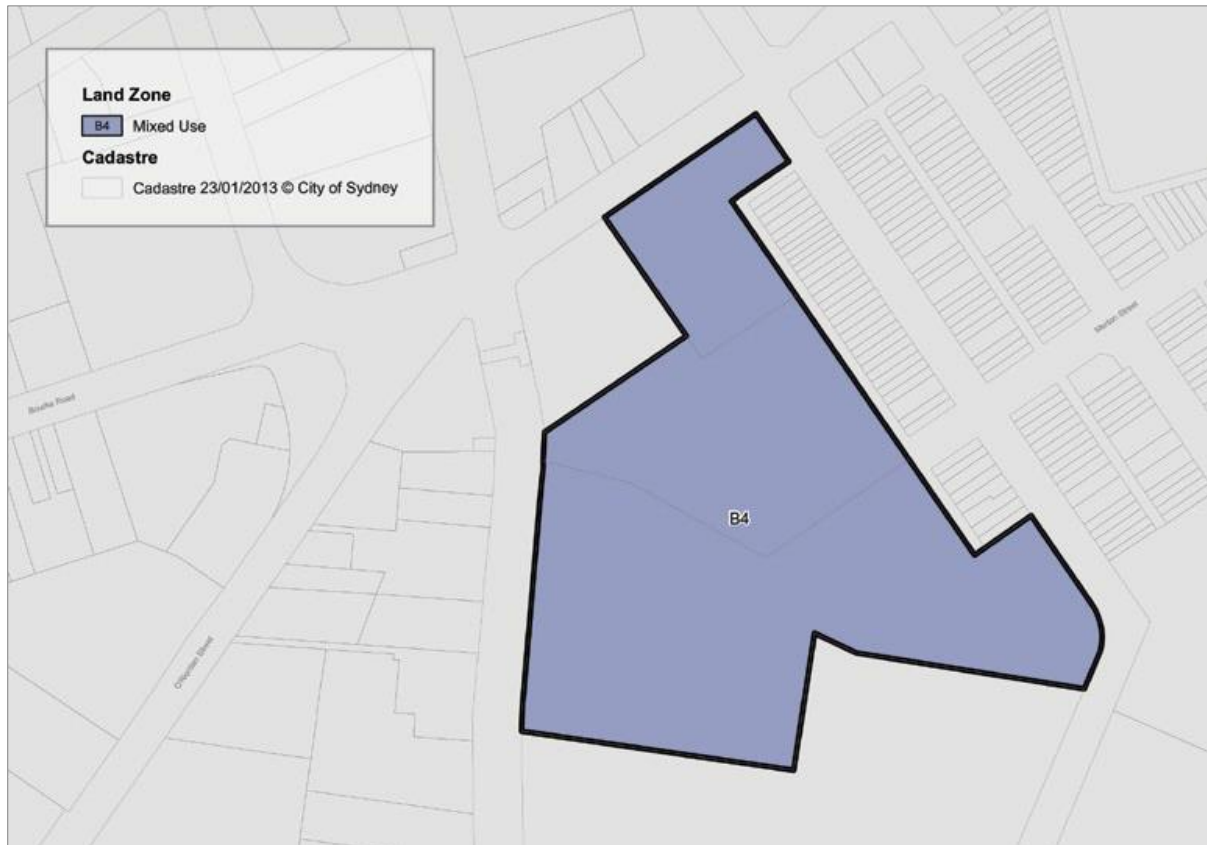
	VPA Area/ Site No.	Lot and DP	Area (sqm)	Status
1	Lands for Roads	Lot 35 in DP 1201559	216	Transferred to Council in fee sample late 2014. Land is classified as operational.
2	Lands for Roads	Lot 34 in DP 1201559	667	Transferred to Council in fee sample late 2014. Land is classified as operational.
3	Land for Roads	Lot 33 in DP 1201559	2,062	Transferred to Council in fee sample late 2014. Land is classified as operational.
4	Lands for Public Plaza	Lot 2 in DP 1199427	6,373	Transferred to Council in fee sample late 2014. Land is classified as operational.
5	Lands for Roads	Lot 32 in DP 1201559	3,724	Transferred to Council in fee sample late 2014. Land is classified as operational.
6	Lands for Roads	Lot 31 in DP 1201559	5,826	Dedication pending, subdivision certificate lodged in 2015.
7, 8, 9, 10, 11, 12	Land for Roads		5,293	To be transferred post-development approval on relevant sites.
<b>TOTAL</b>			<b>24,161</b>	

## Current planning controls

The current planning controls for the Town Centre are contained in *Sydney Local Environmental Plan (Green Square Town Centre) 2013*, shown in Figures 7, 8 and 9. Detailed design controls are under the *Green Square Town Centre Development Control Plan 2012* which also defines the public domain network including parks, plazas and streets and the Development Sites (shown at Figure 4).

**Zone B4 Mixed Use** applies to the subject sites. Permitted uses in the zone are broad and include residential, commercial and retail amongst a range of others.

Figure 7: Current zoning map



**Height of Buildings** are expressed in Reduced Levels (RL). They are set under Clause 4.3 Height of Buildings and the Height of Buildings Map, and they reflect the building envelopes defined by the public domain outline. (The DCP establishes indicative height of buildings in storeys.)

### 4.3 Height of buildings

(1) *The objectives of this clause are as follows:*

- (a) *to ensure acceptable height transitions between new development and heritage items and buildings in heritage conservation areas,*
- (b) *to ensure sharing of views,*
- (c) *to ensure acceptable height transitions from the Green Square Town Centre to adjoining areas,*
- (d) *to ensure the amenity of the public domain by restricting taller buildings to only part of a site,*
- (e) *to ensure the built form contributes to the physical definition of the street network and public spaces.*

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

Figure 8: Current height of buildings map



**Floor space ratio (FSR)** controls are set under Clause 4.4 Floor space ratio and the Floor Space Ratio Map:

#### 4.4 Floor space ratio

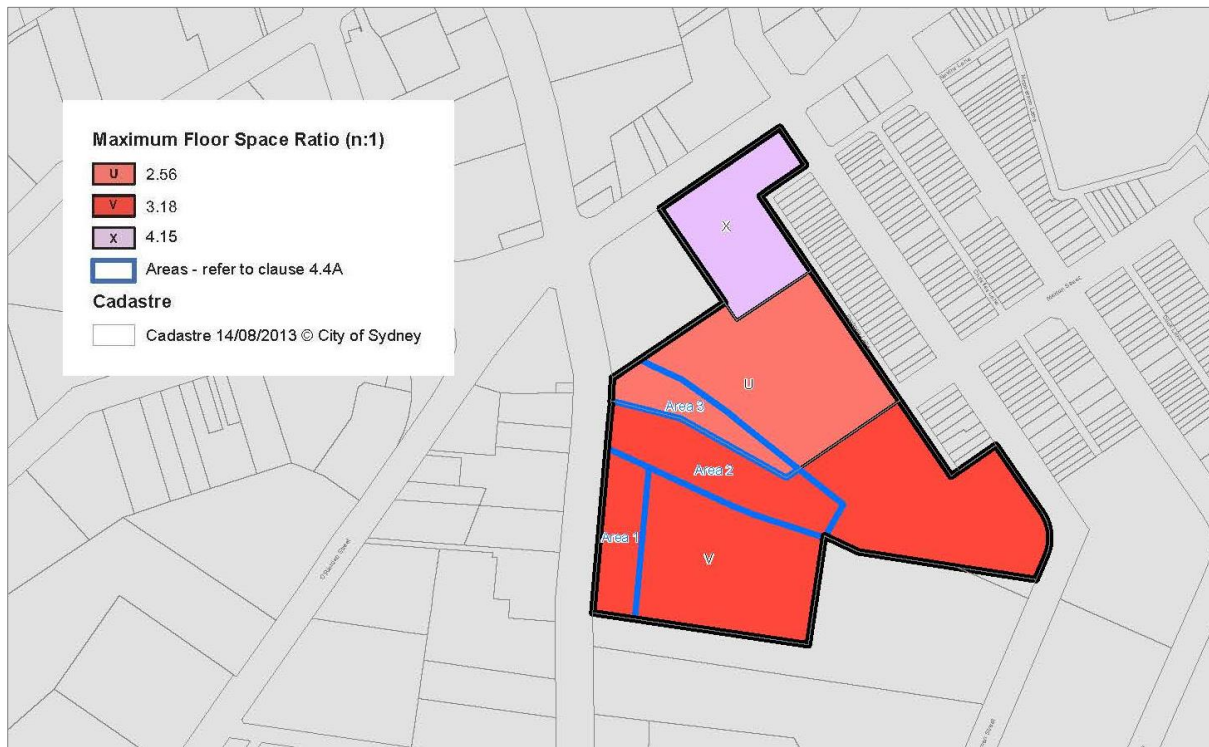
(1) The objectives of this clause are as follows:

- (a) to provide sufficient floor space to meet the anticipated development needs for the foreseeable future,
- (b) to regulate the density of development, built form and land use intensity and to control the generation of vehicular and pedestrian traffic,
- (c) to provide for an intensity of development commensurate with the capacity of existing and planned infrastructure,
- (d) to ensure that new development reflects the desired character of the locality in which it is located and minimises adverse impacts on the amenity of the locality.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.



Figure 9: Current floor space ratio map



**Clause 4.4A Exceptions to floor space ratio** allows additional floor space within the 'Areas' delineated in the map as follows:

- (a) *Area 1, office premises or business premises—additional floor space not exceeding 48,600 square metres,*
- (b) *Area 2, community facilities, that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 2,500 square metres,*
- (c) *Area 3, community facilities that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 1,500 square metres.*

The DCP establishes indicative height of buildings in storeys for each of the Development Sites. Figure 10 shows the achievable building envelopes in storeys applying the LEP and DCP controls. These are based on detailed urban design analysis the City undertook in drafting the LEP and DCP, which specifically allocated floor space to the Development Sites. The analysis was used to derive FSRs for the original parent lots.

Figure 10: Indicative building envelopes showing height in storeys (looking SE)



The total achievable maximum development capacity resulting from the controls is 210,673 square metres of floor space. This development capacity includes the additional 48,600 square metres of commercial floor space permitted for Area 1. Areas 2 and 3 shown in the FSR map define the Green Square Plaza within which the LEP permits 4,000 square metres of floor space for Council's library. This floor space is excluded from the total development capacity for private buildings on the subject sites.

## Planning Proposal request

This Planning Proposal was prepared by the City of Sydney in response to a request by consultants FPD on behalf of Mirvac Green Square Pty Ltd and UrbanGrowth NSW to amend the LEP. There are two parts to the request as described below.

### Reallocation of floor space

The subdivision of the original parent lots and subsequent dedication of the land for the plaza and roads requires an amendment to distribute the permissible floor space across the newly created lots excluding the public domain lots. The Planning Proposal seeks to formalise the floor space allocation for the individual development parcels created with the subdivision.

Changes to the Development Site boundaries and the increase in the number of Development Sites formed by the new roads has implications for how gross floor area is distributed across the subject sites. A key factor is the dedication to Council of land for the public domain which has no development capacity.

In accordance with the VPA established at the time of rezoning of the subject sites, dedication to Council of 24,295 square metres of land for public roads and plaza space is to occur by certain timelines. Most of this land is now in Council ownership.

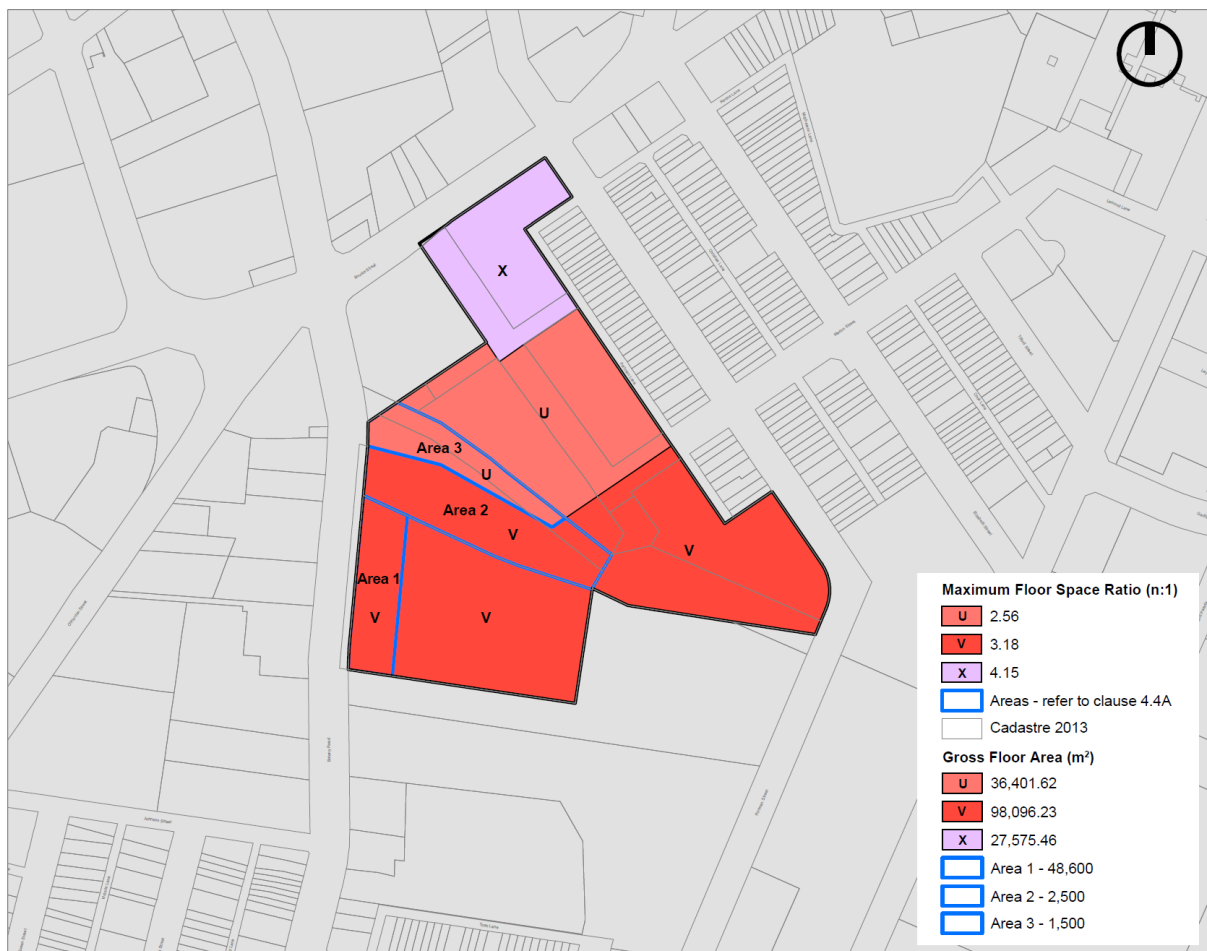
Under the current LEP controls only one FSR applies to each parent lot in existence at the time of making the LEP. The subsequent subdivision of these lots into smaller lots, means that currently the same original FSR still applies. This does not accurately reflect the total development capacity of 210,673 square metres of floor space envisaged for the entire area covered by the LEP.

The new lots, and Development Sites within them, would have a higher 'net' FSR than the current 'gross' FSR shown in the FSR map, while the dedicated public lands would have an FSR of 0:1.

The proposed LEP amendment distributes the total floor space derived from the FSR currently permitted on the three original lots. An amended FSR map is proposed, as shown in Figure 14 – higher FSRs are allocated to the development lots and no FSR is allocated to the public domain lots. The proposed FSRs are derived from the total floor space that can potentially be achieved within the LEP and DCP height limits.

Figure 11 and Table 2 show total gross floor area resulting from application of the current mapped FSR over the site area of the original parent lots. Figure 12 and Table 3 show the same total gross floor area distributed over the Development Sites.

Figure 11: Gross floor area (square metres) resulting from current FSR X site area



# ATTACHMENT A

Table 2: Gross floor area (square metres) reconciliation

Area	Floor space potential on development lots (sqm)	Community uses floor space (sqm)
U	36,402	
V	98,096	
X	27,575	
Area 1	48,600 (commercial)	
Area 2		2,500
Area 3		1,500
<b>TOTAL</b>	<b>210,673</b>	<b>4,000</b>

Figure 12: Proposed allocation of gross floor area



Table 3: Proposed allocation of gross floor area

Site	Floor space (sqm)	Clause 4.4
5AB	27,562	
16AB	17,746	
15ABCD	38,081	
7, 17, 18	28,045	
8AB	1,297	48,600 (Area 1)
18CD / 19AB	49,242	
Open space / Roads		
<b>TOTAL</b>	<b>161,973</b>	<b>48,600</b>

The proposed amendment is primarily an administrative remapping of FSRs. No change to the total floor space of 210,673 square metres or to the height of buildings is proposed. The indicative building envelopes permitted under the current controls, shown in Figure 10, will not change as a result of this amendment.

The amendment will provide an up-to-date plan, offering greater clarity about the achievable floor space. The purpose of this proposal is to reallocate floor space across the sites after the dedicated areas have been transferred to the City. As a result, the new FSRs allocated to the subdivided building parcels will be more aligned to the Height of Buildings Map in the LEP.

#### Transfer of commercial floor space

Clause 4.4A Exceptions to floor space ratio of the LEP allows for 48,600 square metres of office premises or business premises to be constructed in 'Area 1' delineated in the current FSR map. The Planning Proposal request submitted by the proponents, Mirvac Green Square and UrbanGrowth NSW, also seeks an amendment to transfer 4,200 square metres of commercial floor space from the future towers on Development Sites 8A and 8B, fronting Botany Road, to sites 7 and 17, fronting the Green Square Library and Plaza. (See figure 4.) The transferred floor space is intended to be for commercial/office uses, entertainment facility and childcare centre. It is envisaged that the additional floor space will be used to develop a cinema complex of about 3,000 square metres on site 7 and a childcare centre of about 1,200 square metres on site 17. The floor space quantum is informed by the proponents' discussions with potential operators.

Sites 8A and 8B would retain potential for 44,400 square metres of commercial floor space. Currently these sites are awaiting development with no potential commercial tenant. In support of the floor space transfer request, market advice has been provided by Savills which indicates the retained amount is still significant enough to accommodate large commercial users and will not compromise the later commercial development of the sites. The Savills report is included in Part 7 – Attachments of this Planning Proposal.

The cinema will provide a place of significant public entertainment that will contribute to the cultural life of the Town Centre and activation on the site. The childcare centre will be an important facility to service the growing needs of families and workers in the local area. The additional floor space will be incorporated in the podiums of sites 7 and 17, creating a better urban design outcome. The four story high podium wall will provide a taller and more defined street wall at the interface with the plaza and a stronger urban edge to the library design.

The floor space transfer will also improve amenity in the proposed residential towers of sites 7 and 17 fronting Ebsworth Street; it will allow the relocation of south-facing apartments and improve compliance with the NSW Apartment Design Guide. Diagrams showing indicative distribution of the transferred floor space are included in this Planning Proposal at Part 7 – Attachments.

Table 4 provides a reconciliation of gross floor area allocated for each Development Site, grouped under the original parent lots in existence at the time when the 2013 was made, and under the new lots created.

# ATTACHMENT A

Table 4: Reconciled gross floor area allocation

Dev Site	Parent Lot Description	LEP Parent Lot Site Area	LEP Parent Lot FSR	LEP Parent Lot GFA	2016 PP Site Area	2016 PP FSR	2016 PP GFA	Dev Site
A	B	C	D	E	F	G	H	A
5A	Lot 10 DP 874704	6,645	4.15	27,576	4,423	6.23	27,562	5A
5B								5B
5C								5C
16A	Lot Y DP 413956	14,219	2.56	36,401	3,881	4.57	17,746	16A
16B								16B
Area 4 (sites 7 & 17)								Area 4 (sites 7 & 17)
7								7
17								17
18	Lot 1 DP 628547	30,847	3.18	89,497	5,127	5.47	19,446	18
15A								15A
15B								15B
15C								15C
15D								15D
8C								8C
8D								8D
19A								19A
19B								19B
8A								8A
8B	8B							
Area 1	Area 1							
VPA transfer area					18,868			
<b>TOTALS</b>		<b>51,711</b>		<b>210,673</b>	<b>51,713</b>		<b>210,572</b>	<b>TOTALS</b>

**NOTE:** i) Discrepancies in TOTALS are due to decimal point rounding  
 ii) VPA transfer area refers to land that is yet to be dedicated to Council

No changes are proposed to the maximum building heights as a result of this amendment. The transferred floor space can be fully accommodated within sites 7 and 17. In the case of sites 8A and 8B, it is proposed to retain the current building height in the LEP (despite the floor space reduction) to allow flexibility in accommodating future non-residential uses which may require high floor-to-ceiling heights.

## **PART 1 - OBJECTIVES AND INTENDED OUTCOMES**

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This Planning Proposal has two main objectives:

- 1) To distribute the gross floor area across the development lots following the subdivision of the three original parent lots and dedication of the public spaces and roads to the City of Sydney. This will provide clarity for landowners and the community as to the intended plans and development potential of the site.
- 2) To further activate the core of the Town Centre, with the transfer of commercial floor space from Development Sites 8A and 8B, fronting Botany Road, to sites 7 and 17 fronting the north side of the Green Square Plaza to include an entertainment complex and childcare centre. The floor area will be contained within the podium structure on sites 7 and 17.

Both of these objectives can be achieved without compromising the original vision for the subject sites and the Town Centre, and without any increase to the height or overall gross floor area across the sites.

## PART 2 - EXPLANATION OF PROVISIONS

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To achieve the objectives outlined in Part 1, this Planning Proposal seeks to amend the controls in *Sydney Local Environmental Plan (Green Square Town Centre) 2013* as described below.

### Amendment to Floor Space Ratio Map

Two amendments are proposed:

- The replacement of the current FSR map which applies to the original parent lots with a more detailed FSR map to apply to the created lots following subdivision of the parent lots, as shown at Part 4 of this Planning Proposal. The reconciliation table (Table 4) shows no net increase in total gross floor area is proposed.
- The addition of 'Area 4' in the FSR map delineating the area of Development Sites 7 and 17 which are proposed to be eligible for an additional 4,200 square metres of floor space for office premises or business premises, childcare and entertainment facility. The amendment to the map is shown at Part 4 of this Planning Proposal. The additional floor space permissible is detailed in the proposed amendment to clause 4.4A Exceptions to floor space ratio.

### Amendment to clause 4.4A Exceptions to floor space ratio

An amendment to clause 4.4A Exceptions to floor space ratio is sought to effect the transfer of 4,200 square metres of floor space to Development Sites 7 and 17 to be used for office premises or business premises, childcare and entertainment facility. The floor space is to be deducted from Development Sites 8A and 8B delineated as 'Area 1' in the FSR map for which clause 4.4A permits and additional 48,600 square metres of floor space. The amendment sought to clause 4.4A is shown below, added text shown **bold underlined** and deleted text shown as ~~strike through~~.

#### 4.4A Exceptions to floor space ratio

(1) Additional floor space in Green Square Town Centre

Despite clause 4.4, the gross floor area of a building may exceed the maximum permitted as a result of the floor space ratio shown for the land on the Floor Space Ratio Map by an amount no greater than the sum of any one or more of the following for which the building may be eligible:

- (a) car parking reduction floor space,
- (b) specified use floor space.

(2) Specified use floor space

A building that is on land in an Area, and is used for a purpose specified in relation to the Area in paragraph (a), (b) ~~or~~, (c), **or (d)** is eligible for an amount of additional floor space (*specified use floor space*) as follows:

- (a) Area 1, office premises or business premises—additional floor space not exceeding ~~48,600~~ **44,400** square metres,
- (b) Area 2, community facilities, that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 2,500 square metres,
- (c) Area 3, community facilities that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 1,500 square metres,
- (d) **Area 4, office premises or business premises, entertainment facility, childcare—additional floor space not exceeding 4,200 square metres.**



## PART 3 - JUSTIFICATION

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### Section A: Need for the planning proposal

#### **Q1. Is the planning proposal a result of any strategic study or report?**

The first part of this Planning Proposal is required in order to provide greater certainty and clarity on the planned development potential of the subject sites to be developed and to continue to implement the aims of the LEP. The need for the Planning Proposal results from the subdivision of the original three parent lots to create the lots for public domain to enable dedication to Council for roads and open space. The Planning Proposal seeks to distribute the total floor space of the original three lots, represented by the FSR under the current LEP, to the development lots created, excluding the public domain lots. As such, this part of the Planning Proposal does not propose any increase in total floor area or height. The FSR map proposed in this Planning Proposal will be aligned with the current Height of Buildings Map and the more detailed DCP controls. Therefore no strategic study or report was undertaken or necessary.

The second part of the Planning Proposal aims to provide greater activation of the Town Centre and better amenity for future residents. Currently, attempts to generate interest in the Development Sites 8A and 8B sites (shown at Figure 4) have proved unsuccessful. Strategic advice, provided by Savills in support of the Planning Proposal request submitted by the proponents, indicates that a reduction in the provision of 44,400 square metres of floor space will still provide significant enough floor space to generate a range of commercial activities on the sites. It is proposed that 4,200 square metres of commercial floor space be transferred from sites 8A and 8B, allowing for the development of an entertainment venue, a childcare center or commercial uses. This will improve both the activation and amenity of the Green Square Plaza. The additional floor space on sites 7 and 17 will be accommodated within the existing height controls in the LEP and no increase in overall total gross floor area potentially achievable across the three original sites is proposed as part of this Planning Proposal.

#### **Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes? Or, is there a better way?**

Alternatives were considered to achieve the intended outcomes of this Planning Proposal with respect to establishing the floor space allocation to the development parcels created from the subdivision of the three original sites. The most practical alternative option considered was the use of a stage one development application (DA) for the subject sites which would define the floor space allocation and provide a picture of the overall development. This would enable any variation to be justified through the application of clause 4.6 Exceptions to development standards under the LEP.

However, the City determined that a Planning Proposal was the most appropriate planning pathway. While a stage one DA would outline the distribution of development potential across the subject sites, it would rely on the use of clause 4.6 of the LEP to approve variances in the FSR. In this circumstance the variance in FSR would be much greater than would be appropriate to be approved under this clause. Therefore, a Planning Proposal is the best means of achieving the intended outcomes of this part of the Planning Proposal.

With respect to the transfer of the commercial floor space from Development Sites 8A and 8B to add to the potentially achievable floor space on sites 7 and 17, the Planning Proposal is the best means of achieving the intended outcomes. The 48,600 commercial floor space allocated to sites 8A and 8B is specifically defined under the current LEP – shown as “Area 1” in the FSR map and established under clause 4.4A Exceptions to floor space ratio. An amendment to the clause is required to effect the transfer, and a Planning Proposal to amend the LEP is the best means of achieving this.

## Section B: Relationship to the strategic planning framework

### Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

#### *A Plan for Growing Sydney*

In December 2014, the NSW Government published *A Plan for Growing Sydney* (the plan), the new strategic plan for the Sydney metropolitan area over the next 20 years. It envisages a globally competitive Sydney with a population increase of 1.6 million people, including 689,000 new jobs and 664,000 new homes by the year 2031. Green Square is described in the plan as one of Sydney's strategic centres.

The plan sets out four goals:

1. A competitive economy with world-class services and transport;
2. A city of housing choice and homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The key priority for the Central Subregion, including Green Square, directly related to this Planning Proposal is to “*provide capacity for additional mixed-use development in Green Square including offices, retail, services and housing*”. To achieve the above goals, the plan includes 22 directions, supporting actions and priorities for each subregion. Relevant directions and actions with which this Planning Proposal is consistent include:

1. Direction 1.6: Expand the Global Economic Corridor. The Global Economic Corridor is the collection of assets and centres that extends from Macquarie Park through the Sydney CBD to Port Botany and Sydney Airport. Under the Direction, the plan includes an action to grow high-skilled jobs in the Global Economic Corridor by expanding employment opportunities and mixed-use activities. It also recognises the need to protect critical retail, business and office space against residential pressures where appropriate.
2. Direction 1.7: Grow strategic centres - providing more jobs closer to home. The plan recognises strategic centres are areas of intense, mixed economic and social activity that are built around the transport network. The plan includes an action to invest in strategic centres to grow jobs and housing and create vibrant hubs of activity.
3. Direction 1.11: Deliver infrastructure. The plan recognises adopting a subregional approach to planning the delivery of infrastructure will help align effort across all levels of government to identify the infrastructure needed to support local growth and change.
4. Direction 2.1: Accelerate housing supply and local housing choices. Increasing housing affordability and choice is identified as a high priority for meeting Sydney's future housing need. The plan sees the making of surplus government land available for housing and leading the delivery of complex urban renewal projects as a significant source of new housing. UrbanGrowth NSW's role in the Town Centre contributes to achieving this direction in delivering housing along with new infrastructure, jobs and local community improvements.
5. Direction 2.2 – Accelerate urban renewal and use the Greater Sydney Commission to support council-led urban infill projects – new housing supported by social infrastructure in or near centres will make the living environment more attractive. The plan supports council-led urban infill and renewal and local efforts to lift housing production around local centres and public transport to connect new homes to job rich locations.
6. Direction 2.3 – Improve housing choice to suit different needs and lifestyles. The plan encourages the introduction of planning controls that increase the number of homes in established urban areas to take advantage of public transport, jobs and services. It will also encourage further innovative, well-designed, smaller homes to suit lifestyles and budgets.

7. Direction 3.3: Create healthy built environments where the design plays an important role in supporting physical activity, social interaction and equitable access to healthy food, which can also facilitate social cohesion and community connectivity. Important in achieving this is creating mixed-use centres that provide a convenient focus for daily activities; and creating attractive and active public spaces.
8. Direction 3.4: Promote Sydney's heritage, arts and culture. The plan recognises the importance of local arts and cultural activities as the driving force behind urban renewal and the creation of vibrant and connected communities. Areas like Alexandria and Zetland, once industrial suburbs, are evidence of a cultural-led vibrancy, where new music spaces, restaurants, galleries and cafes have brought community life to renewed suburbs.

## *Central District Plan*

The NSW Government is currently developing District Plans in consultation with a range of stakeholders. The plans will set out how *A Plan for Growing Sydney* will apply to local areas. The plans will provide a more detailed framework for coordinating planning, development, infrastructure, transport, open space networks and environmental actions across local and NSW government agencies. 'Sydney City' is no longer a Subregion or District itself, with the City of Sydney LGA included in the broader 'Central District'. For strategic centres in the Central District, the plan states specific to Green Square:

- Facilitate delivery of the UrbanGrowth NSW project for Green Square Town Centre comprising around 4,000 dwellings and 90,000 square metres of commercial and retail space.
- Work with the City of Sydney to provide capacity for additional mixed-use development in Green Square including offices, retail, services and housing.

This Planning Proposal is consistent with priorities for the Central District including focussing development in renewal corridors to maximise use of existing and planned infrastructure and improve the quality of the built form. The first part of the proposed amendment to the LEP is consistent with the aims and vision of the UrbanGrowth NSW project for the Town Centre, specifically the provision of 210,763 square metres of floor space to develop residential, commercial and retail floor space across the site.

With respect to the 90,000 square metres referred to in the plan, the LEP does not prescribe floor space per use. The subject sites are zoned B4 Mixed Use. The exception is the floor space defined under clause 4.4A Exceptions to floor space ratio, which allocates 48,600 square metres of floor space to Development Sites 8A and 8B. Other commercial and retail floor space on the subject sites is established at DA stage, guided by the DCP provisions that require retail/commercial in some locations for activation of the public domain.

In 2012, in drafting the current LEP and DCP controls, the City estimated the subject sites would provide about 60,000 square metres of commercial and retail floor space. Current estimates provided by Mirvac/ UrbanGrowth NSW indicate a similar amount will be achieved, including the 4,200 square metres proposed to be transferred to Development Sites 7 and 17 for office or businesses, entertainment facility and childcare uses only. It is noted that other sites within the Town Centre, west of Botany Road, are zoned B3 Commercial Core which prohibits residential development. The City estimates these sites have the capacity to provide about 75,000 square metres of commercial floor space.

The addition of an entertainment facility and childcare centre adjacent to a major public space, the Green Square Plaza, will also complement the aims of the plan and add to its appeal as a mixed use centre.

## **Q4. Is the planning proposal consistent with a council's local strategy or other strategic plan?**

*Sustainable Sydney 2030* outlines the City's vision for a 'green', 'global', and 'connected' Sydney and includes targets, objectives and actions to achieve that vision. The vision was adopted by Council in 2008. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This Planning Proposal will not increase the total floor space or change the heights across the sites. It is consistent with the following Sydney 2030 strategic directions and objectives in particular:

- Direction 2 - A Leading Environmental Performer, with set measurable and accountable targets to drive down the City's environmental footprint, including to reduce greenhouse gas emissions by 70% compared to 1990 levels by 2030 – The Town Centre will enable delivery of dual reticulation in all buildings for future connection to a non-potable/recycled water source. Energy efficient LED street lighting will be incorporated into the public domain.
- Direction 4: A city for walking and cycling – The Planning Proposal will facilitate the delivery of new floor space at the core of the Town Centre, where a wide range of existing and future services is being delivered and in doing so encourage active transport. It will also lead to greater activation of the public domain which will in turn encourage greater pedestrian activity.
- Direction 5 - A Lively and Engaging City Centre – The establishment of an entertainment facility and child care centre will contribute to greater activation of the Town Centre.
- Direction 7 - A Cultural and Creative City – The inclusion of a cinema complex in the Town Centre will contribute to the promotion of the arts and artistic endeavours.
- Direction 9 - Sustainable Development, Renewal and Design – The built form envisaged by the planning controls includes a variety of building heights, placed to achieve good solar access, and set within a fine grain public domain network of open spaces, streets, lanes and pedestrian/bike links. The Planning Proposal will facilitate achieving this. The proposal is also consistent with action 9.4.1 to regularly review and streamline development controls. The proposal seeks to improve the operation of the controls and provide greater certainty as to the development capacity of the sites. It also seeks to achieve improved amenity and urban design outcomes.

The Planning Proposal is also aligned with the City's strategy for the Town Centre as set out in these specific aims of the current LEP:

## *1.2 Aims of the Plan*

### *(2) The particular aims of this Plan are as follows:*

- (a) to foster the environmental, economic, social and cultural well-being of the Green Square Urban Renewal Area by encouraging the establishment of the Green Square Town Centre as the major commercial, retail, cultural and entertainment centre for Green Square*
- (b) to allow for a mix of land uses that will:*
  - (ii) encourage the provision of a range of services and facilities to help meet the needs of the population and uses of the Green Square Town Centre, and;*
  - (iv) establish a significant new people oriented public town square and other vibrant public plazas and public spaces*
- (f) to ensure that the public domain of the Green Square Town Centre is fronted by high-quality buildings having a scale and alignment that both define and contribute positively to the amenity of the public spaces (including parks, plazas and streets) that they adjoin,*
- (h) to ensure that development is designed to promote the vitality of the public domain by providing active frontages to the streets and other identified public spaces, including the location of active retail, food, drink and entertainment premises, and community and cultural facilities at ground level (particularly at the edge of public plazas)*

The first part of the amendment will achieve the aims and vision of the LEP and the proposed changes are in keeping with the LEP. The LEP amendment will maintain the City's strategic requirement for a large consolidated commercial office space retaining the large majority of commercial floor space (44,400 square metres) on Development Sites 8A and 8B.

The addition of an entertainment facility and childcare centre to be positioned in the podium of sites 7 and 17 adjacent to the Green Square Plaza, a major public space, will directly complement the aims of the LEP and assist in the activation of the Town Centre. The transfer will create new job opportunities and provide greater amenity for future residents. The addition of community services such as a childcare centre will add to the attractiveness of the area for future business uses and supports community needs.

## **Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

The consistency of this Planning Proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in the table below. SEPPs which have been repealed or were not finalised are not included in this table.

<b>Consistency with SEPPs</b>	
<b>State Environmental Planning Policy (SEPP)</b>	<b>Comment</b>
SEPP No 1—Development Standards	Not applicable.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	Not applicable.
SEPP No 6—Number of Storeys in a Building	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 10—Retention of Low Cost Rental Accommodation	Not applicable.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 15—Rural Landsharing Communities	Not applicable.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 22—Shops and Commercial Premises	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 29—Western Sydney Recreation Area	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.  This Planning Proposal facilitates the renewal of the major hub of the Green Square Urban Renewal Area.
SEPP No 33—Hazardous and Offensive Development	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 39—Spit Island Bird Habitat	Not applicable.
SEPP No 41—Casino Entertainment Complex	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable.

# ATTACHMENT A

Consistency with SEPPs	
State Environmental Planning Policy (SEPP)	Comment
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 53—Metropolitan Residential Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP. The Planning Proposal contains no change to permissible uses. Future development applications will be required to comply with SEPP 55.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 60—Exempt and Complying Development	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent - This Planning Proposal does not contradict or hinder application of this SEPP. The proposed amendment will not impede the ability of future development applications to comply with this SEPP. The proposed changes to sites 7 and 17 and the introduction of a non-residential podium are likely to improve the ability of the residential components of the sites to comply.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP or the application of the Green Square Affordable Housing Scheme under the current LEP.
SEPP No 71—Coastal Protection	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP. Future development applications will be required to be accompanied where relevant by a BASIX assessment and certificate.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP.
SEPP (Major Development) 2005	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP.
SEPP (Infrastructure) 2007	Consistent - A referral to NSW Roads and Maritime Services for traffic generating development may be required at the development application stage depending on the scale of development proposed.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.
SEPP (Mining, Petroleum Production	Not applicable.

# ATTACHMENT A

Consistency with SEPPs	
State Environmental Planning Policy (SEPP)	Comment
and Extractive Industries) 2007	
SEPP (Temporary Structures) 2007	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - The Planning Proposal does not contradict or hinder application of this SEPP.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable – This SEPP does not apply to the Town Centre.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Development on Kurnell Peninsula) 2005	Not applicable.

The table below shows the consistency of this Planning Proposal with former Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed to have the weight of SEPPs.

Consistency with REPs	
Regional Environmental Plan (REPs)	Comment
Sydney REP No 5—(Chatswood Town Centre)	Not applicable.
Sydney REP No 8 (Central Coast Plateau Areas)	Not applicable.
Sydney REP No 9—Extractive Industry (No 2—1995)	Not applicable.
Sydney REP No 11—Penrith Lakes Scheme	Not applicable.
Sydney REP No 13—Mulgoa Valley	Not applicable.
Sydney REP No 16—Walsh Bay	Not applicable.
Sydney REP No 17—Kurnell Peninsula (1989)	Not applicable.
Sydney REP No 18—Public Transport Corridors	Not applicable.
Sydney REP No 19—Rouse Hill Development Area	Not applicable.
Sydney REP No 20—Hawkesbury-Nepean River (No 2—1997)	Not applicable.
Sydney REP No 24—Homebush Bay Area	Not applicable.
Sydney REP No 25—Orchard Hills	Not applicable.
Sydney REP No 26—City West	Not applicable.

Consistency with REPs	
Regional Environmental Plan (REPs)	Comment
Sydney REP No 28—Parramatta	Not applicable.
Sydney REP No 29—Rhodes Peninsula	Not applicable.
Sydney REP No 30—St Marys	Not applicable.
Sydney REP No 33—Cooks Cove	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Not applicable.
Drinking Water Catchments REP No 1	Not applicable.
Greater Metropolitan REP No 2—Georges River Catchment	Not applicable.

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?**

No.	Title	Comment
<b>1. Employment and Resources</b>		
1.1	Business and Industrial Zones Objectives are: (a) encourage employment growth in suitable locations (b) protect employment lands in business and industrial zones, and (c) support the viability of identified strategic centres	While there is a reduction of 4,200 square metres of commercial uses on Development Sites 8A and 8B, an entertainment facility, a childcare centre or other commercial uses on sites 7 and 17 will also generate significant employment and will likely serve to increase the attractiveness of the precinct to other employment uses.  The advice by Savills submitted with the Planning Proposal request indicates this proposal will not have a negative effect on the potential for business or employment uses on the subject sites. (Refer to Attachment 2 in Part 7 of this proposal.)
1.2	Rural Zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>		
2.1	Environment Protection Zones	Not applicable.
2.2	Coastal Protection	Not applicable.
2.3	Heritage Conservation	Consistent.
2.4	Recreation Vehicle Areas	Not applicable.
<b>3. Housing Infrastructure and Urban Development</b>		
3.1	Residential Zones Objectives are:	Consistent.  The Zone B4 Mixed Use which applies to the subject sites permits a range of residential uses and the provisions of the LEP require a contribution towards



# ATTACHMENT A

No.	Title	Comment
	<p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands</p>	<p>affordable rental housing. The detailed controls in the DCP set the mix of unit size.</p> <p>The Planning Proposal does not change the sites' potential to deliver a variety and choice of housing types to provide for existing and future housing needs.</p>
3.2	Caravan Parks and Manufactured Home Estates	Not applicable.
3.3	Home Occupations	<p>Consistent.</p> <p>This Planning Proposal does not contradict or hinder application of the home occupation provisions in the LEP.</p>
3.4	<p>Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>• improved access to housing, jobs and services by walking, cycling and public transport</li> <li>• increase the choice of available transport and reducing dependence on cars</li> <li>• reducing travel demand including the number of trips generated by development and the distances travelled especially by car, and</li> <li>• supporting the efficient and viable operation of public transport services, and providing for the efficient movement of freight.</li> </ul>	<p>Consistent.</p> <p>The subject sites are all within easy walking catchment of the Green Square train station and Green Square bus exchange.</p> <p>The Green Square Plaza has been designed to function as a transit plaza to include the future light rail. This will facilitate easy access through the site. Sites 7 and 17 are located adjacent to the plaza and will benefit from the excellent pedestrian access and amenity they provide. An entertainment complex is a complementary addition, as a large percentage of users will be able to access the facility by either public transport or walking from the local area.</p> <p>There are bus stops on both sides of Botany Road in the vicinity of the site.</p> <p>The entire Town Centre is well serviced by public transport and has been planned to facilitate use of active transport. The creation of activity around a transit node is consistent with this direction.</p> <p>Further, this Planning Proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</p>
3.5	Development Near Licensed Aerodromes	Not applicable.
3.6	Shooting Ranges	Not applicable.
<b>4. Hazard and Risk</b>		
4.1	<p>Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulphate soils.</p>	<p>Consistent.</p> <p>This Planning Proposal does not contradict or hinder application of acid sulphate soils provisions in the LEP.</p> <p>The sites are within a Class 5 Acid Sulfate Soils Area. The LEP sets out the circumstances under which an Acid Sulfate Soils Management Plan must be prepared and submitted to the consent authority.</p>

# ATTACHMENT A

No.	Title	Comment
		The proposal seeks to amend the FSR mapping and the transfer of 4,200 square metres of commercial floor space from one site to another.  No additional impact on acid sulphate soils will result from this amendment.
4.2	Mine Subsidence and Unstable Land	Not applicable
4.3	Flood Prone Land  Objectives:  (a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the objectives of the Floodplain Development Manual 2005, and  (b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.	Consistent.  This Planning Proposal does not contradict or hinder application of flood prone land provisions in the LEP.  Any relevant future development application for the sites will be required to address the NSW Government's Flood Prone Land Policy, the principles of the Floodplain Development Manual 2005 and the LEP flood prone land controls.
4.4	Planning for Bushfire Protection	Not applicable.
<b>5. Regional Planning</b>		
5.1	Implementation of Regional Strategies	Not applicable.
5.2	Sydney Drinking Water Catchments	Not applicable.
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.8	Second Sydney Airport, Badgerys Creek	Not applicable.
5.9	North West Rail Link Corridor Strategy	Not applicable.
<b>6. Local Plan Making</b>		
6.1	Approval and Referral Requirements  The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent.  This Planning Proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	This Planning Proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions  The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent.  This Planning Proposal does not contradict or hinder the application of this direction. The proposed restriction for use of the 4,200 square metres of floor space transferred from Development Sites 8A and 8B to sites 7 and 17 seems to ensure the floor space continues to provide for employment generating uses.

<b>7. Metropolitan Planning</b>		
<b>7.1</b>	<p>Implementation of <i>A Plan for Growing Sydney</i></p> <p>The objective of this direction is to give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in <i>A Plan for Growing Sydney</i>.</p>	<p>Consistent.</p> <p>The Planning Proposal is consistent with the objectives of <i>A Plan for Growing Sydney</i>, namely in facilitating the development of the Town Centre as a strategic centre. The consistency of the proposal with the plan is described in Section B Q3.</p>

## Section C: Environmental, social and economic impact

**Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The sites are located in an urban mixed use area and do not contain any known critical habitat or threatened species, populations or ecological communities or habitats.

The Planning Proposal is for an adjustment of the floor area distribution as a result of the dedication of roads and plaza to the City of Sydney and the creation of the Development Sites in keeping with the original Planning Proposal dated 2011 which was put into effect by the 2013 LEP. Additionally, the proposal seeks to transfer 4,200 square metres of commercial floor space across the site in order to promote the development of an entertainment venue and a childcare centre, which will increase the amenity for future residents and the activation across the site. No additional floor space or increase in developable area is proposed and there is no likelihood that any additional impact could be created.

Notwithstanding this, in considering any future development application for the sites, the consent authority will have regard to the suitability of the land for development and any environmental impact which may be generated by the development.

**Q8. Are there any other likely environmental effects as a result of the planning proposal? And, how are they proposed to be managed?**

As mentioned above, the nature of this amendment, which concerns the distribution and transfer of floor space, the use of which will be contained within the current controls of the site, indicates that there is little likelihood of any additional environmental impact being created. Therefore, no additional management measures are proposed. Notwithstanding this, any future development applications for the sites will be required to address any potential environmental effects.

**Q9. Has the planning proposal adequately addressed any social or economic effects?**

The driver for the allocation of 48,600 square metres of office and business floor space on sites 8A and 8B is to foster a mixed use Town Centre, provide for local employment and day-time activation. The transfer of 4,200 square metres of that floor space to be used as an entertainment facility and childcare centre will satisfy similar objectives and make the area more attractive as an employment destination and the ground floor retail more attractive by increasing foot traffic.

The reduction of 4,200 square metres of commercial floor space on sites 8A and 8B will not have a negative impact on its future use for office or commercial purposes. The report prepared by Savills in support of the Planning Proposal request (included in Part 7 – Attachments in this Planning Proposal) examines trends in demand for office space by size in South Sydney and surrounding metropolitan office markets. The report finds that the majority of users seek 1,000-1,500 square metres, and all but the very largest user's requirements are below 10,000 square metres. The majority of commercial floor space users' needs can be accommodated on the retained floor space of 44,400 square metres on these sites.

The inclusion of a cinema complex in the Town Centre will have a significant positive social benefit contributing to the promotion of the Town Centre as a destination and offering greater activation of the plaza. The addition of a childcare centre will also have a positive social benefit servicing the growing needs of families and workers in the area.

## Section D: State and commonwealth interests

### **Q10. Is there adequate public infrastructure for the planning proposal?**

The provision of infrastructure has been at the centre of planning for the Town Centre. The Background section of this Planning Proposal discusses the “deferral” model approach established for the delivery of infrastructure essential to support the intensity of development proposed for the Town Centre.

The rezoning of the subject sites in 2013 was subject to the execution of a VPA between Mirvac Green Square/ UrbanGrowth NSW and the City of Sydney, which set the staged contribution of land and infrastructure. This Planning Proposal does not seek to increase the total floor space capacity of the subject sites under the current LEP. Given it is anticipated there will be little or no additional car parking associated with the entertainment facility and childcare centre proposed for Development Sites 7 and 17, the impact on traffic and transport should be no more than the current controls. Notwithstanding this, any future development application for the sites will be required to address any potential impacts.

Major construction works are underway by both the City and the private sector to deliver new civil infrastructure and increase the capacity of that existing. In addition, the City is continuing its commitment to and delivering significant local facilities to serve the Town Centre and the wider Green Square area. Construction works underway include: construction of new streets (Ebsworth Street, Barker Street and Tweed Place); construction of the new Green Square Library and Plaza; refurbishment and adaptation of heritage buildings in the former South Sydney Hospital site for the Green Infrastructure Centre, the Joynton Avenue Creative Centre, the Banga Community Shed and the Waranara Early Childhood Centre; and works on the Green Square stormwater drain in partnership with Sydney Water. Other works to commence soon include construction of The Drying Green park in the Town Centre, and Gunyama Park and the Green Square aquatic centre on Joynton Avenue, opposite the former hospital site.

The delivery of other public infrastructure such as schools and public transport which are the responsibility of the NSW Government are the subject of ongoing discussion between government agencies and the City to ensure their capacity responds to the needs of the growing population of Green Square.

### **Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

The Gateway Determination will list public authorities to be consulted and any views expressed will be discussed in this Planning Proposal following consultation.

## PART 4 – MAPPING

The Planning Proposal seeks to amend the current FSR map contained in *Sydney Local Environmental Plan (Green Square Town Centre) 2013*. Extracts of the current and proposed maps are shown in the following figures.

Figure 13: Current FSR map (7200\_CEN\_FSR\_001\_005\_20130829)

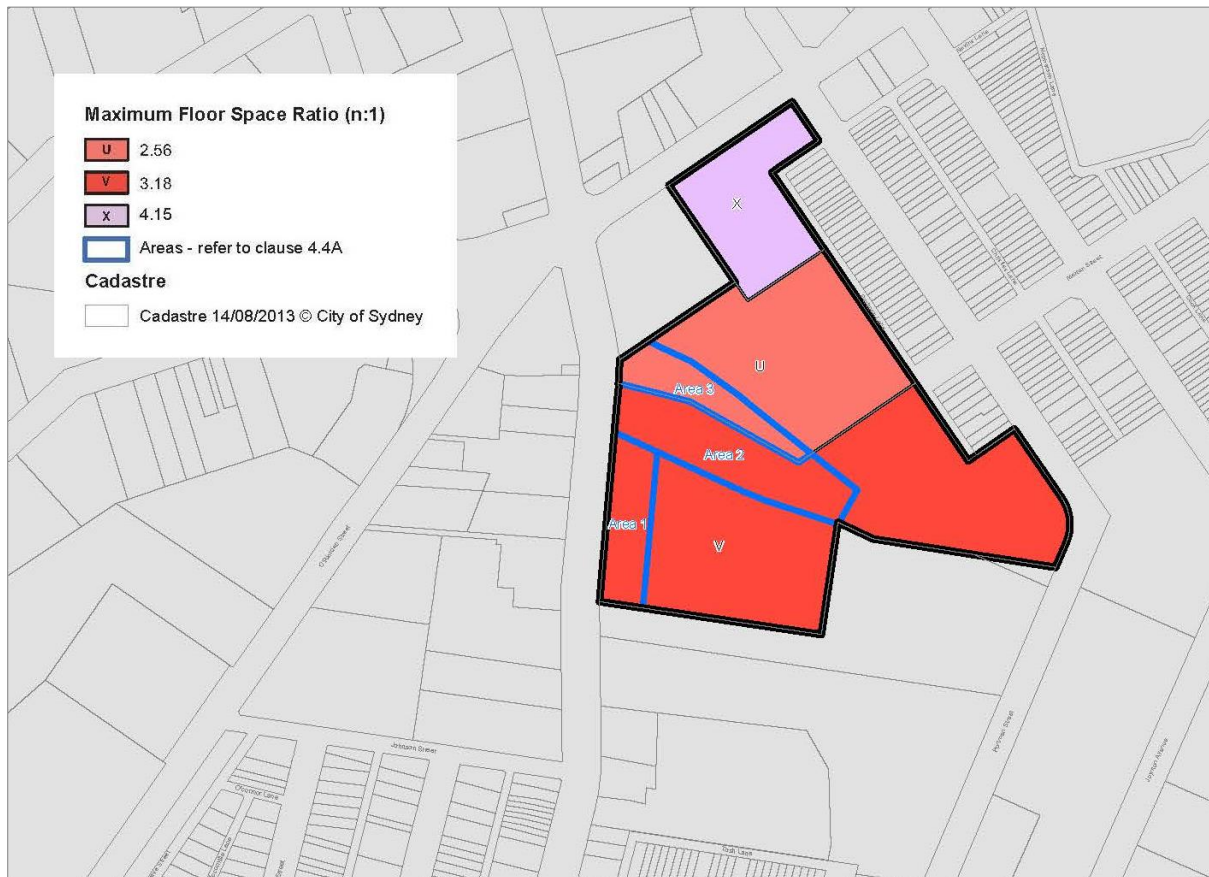
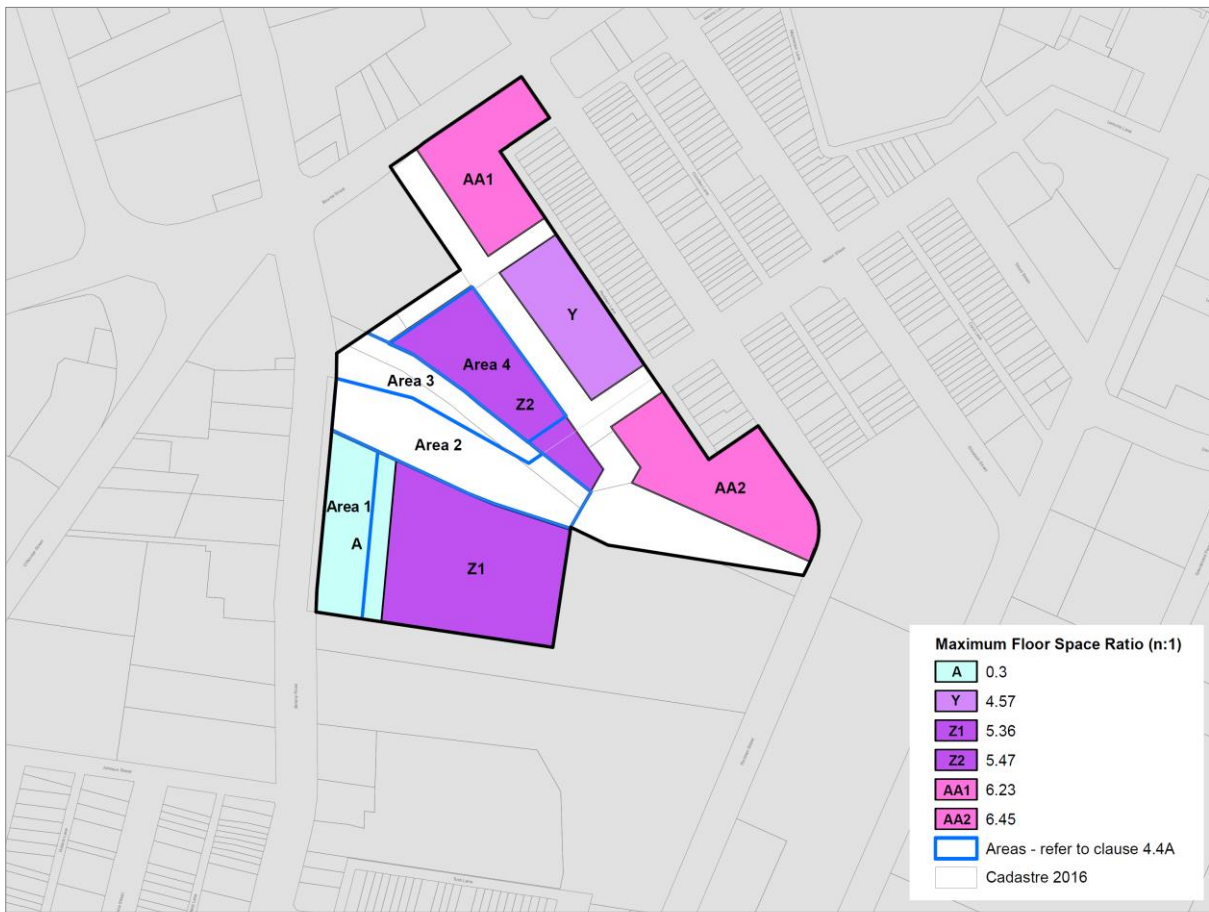


Figure 14: Proposed FSR map



## **PART 5 - COMMUNITY CONSULTATION**

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Public consultation will be undertaken in accordance with the requirements of the Gateway Determination.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of the Planning Proposal:

- on the City of Sydney website;
- in the *Sydney Morning Herald* and/or a relevant local newspaper; and
- in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is expected that the Planning Proposal will be publicly exhibited for a period of not less than 28 days in accordance with section 5.5.2 of *A guide to preparing local environmental plans*.

It is proposed that exhibition material will be made available on the City of Sydney website and at the following Council locations:

- Town Hall House One Stop Shop, 456 Kent Street, Sydney
- Green Square Neighbourhood Service Centre, 100 Joynton Avenue, Zetland

Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway Determination.



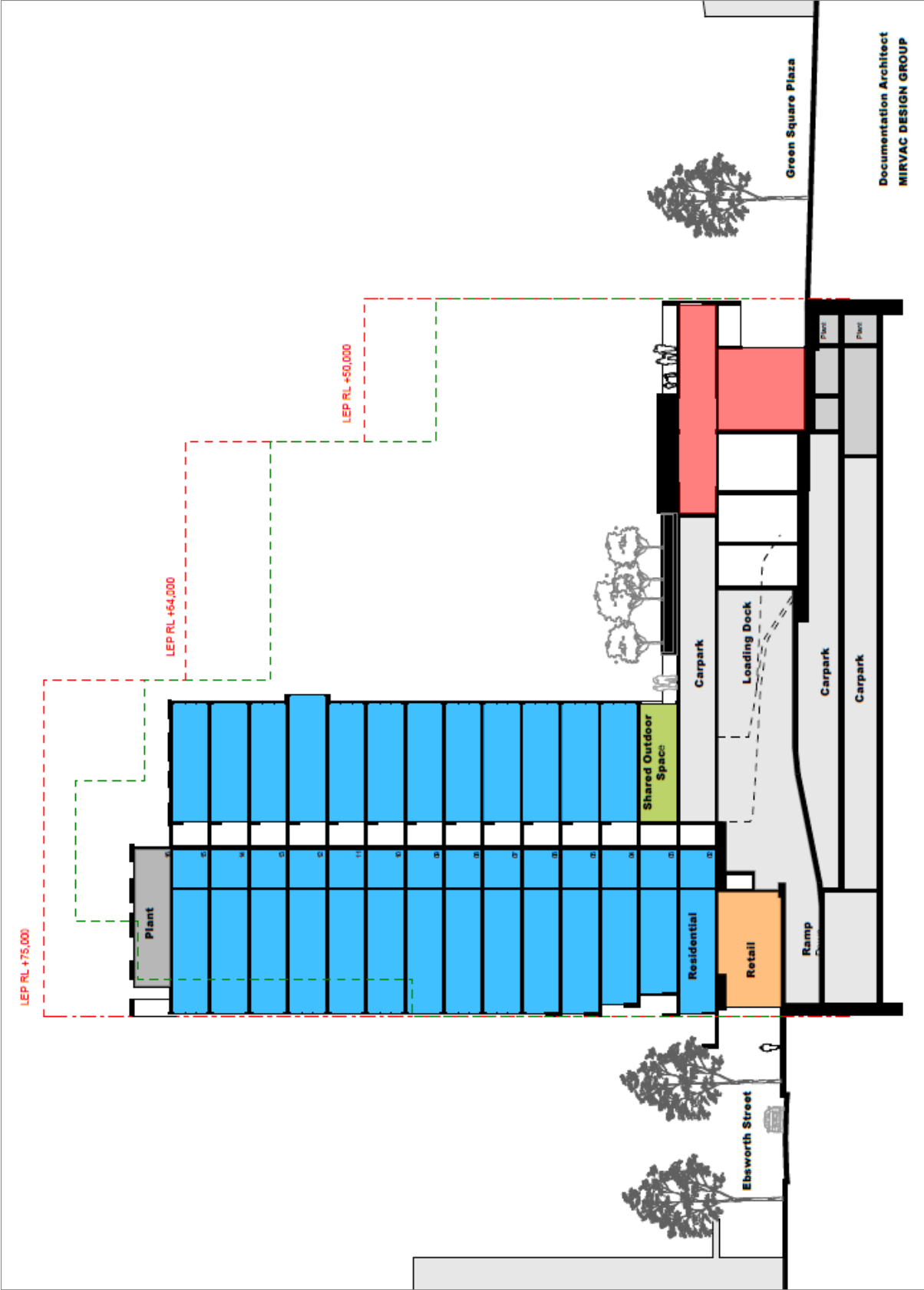
## PART 6 - PROJECT TIMELINE

The following project timeline will assist with tracking the progress of the Planning Proposal through its various stages of consultation and approval. It is estimated that this amendment to the LEP will be completed by January/February 2017.

Stage	Timeframe
Lodgement of Planning Proposal	April 2016
City of Sydney submits Planning Proposal to Department of Planning and Environment for Gateway Determination	July 2016
City of Sydney receives Gateway Determination from the Department of Planning and Environment	August 2016
Public exhibition and public authority consultation of Planning Proposal and DCP Amendment	September to October 2016
Review of submissions received during public exhibition and public authority consultation	October to November 2016
Council and Central Sydney Planning Committee approval of Planning Proposal	December 2016
Drafting of instrument and finalisation of mapping	December to January 2016
Amendment to the LEP legally made and published	January/February 2017

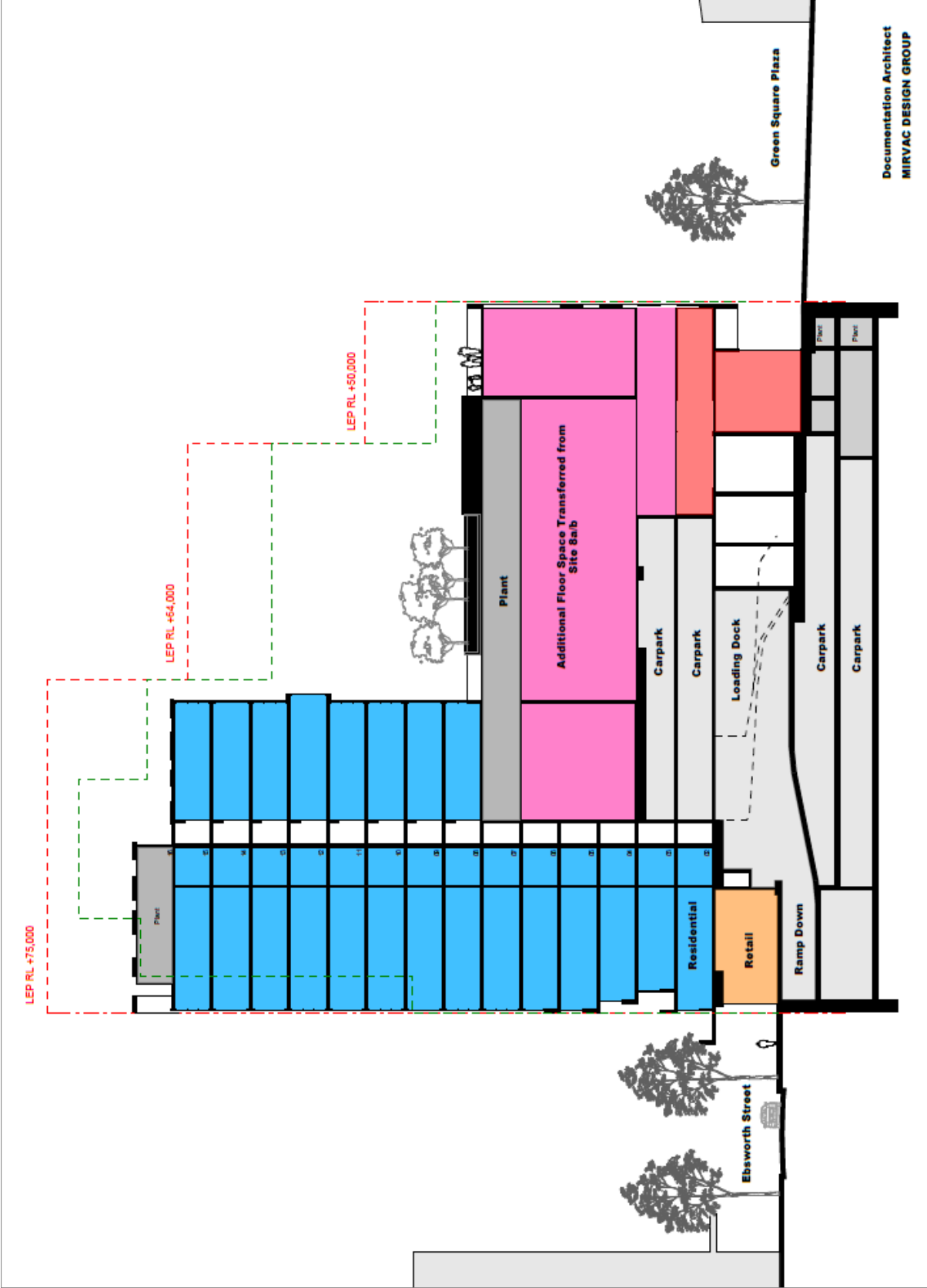
PART 7 - ATTACHMENTS

1a: Indicative Site 7 section without proposed floor space transfer



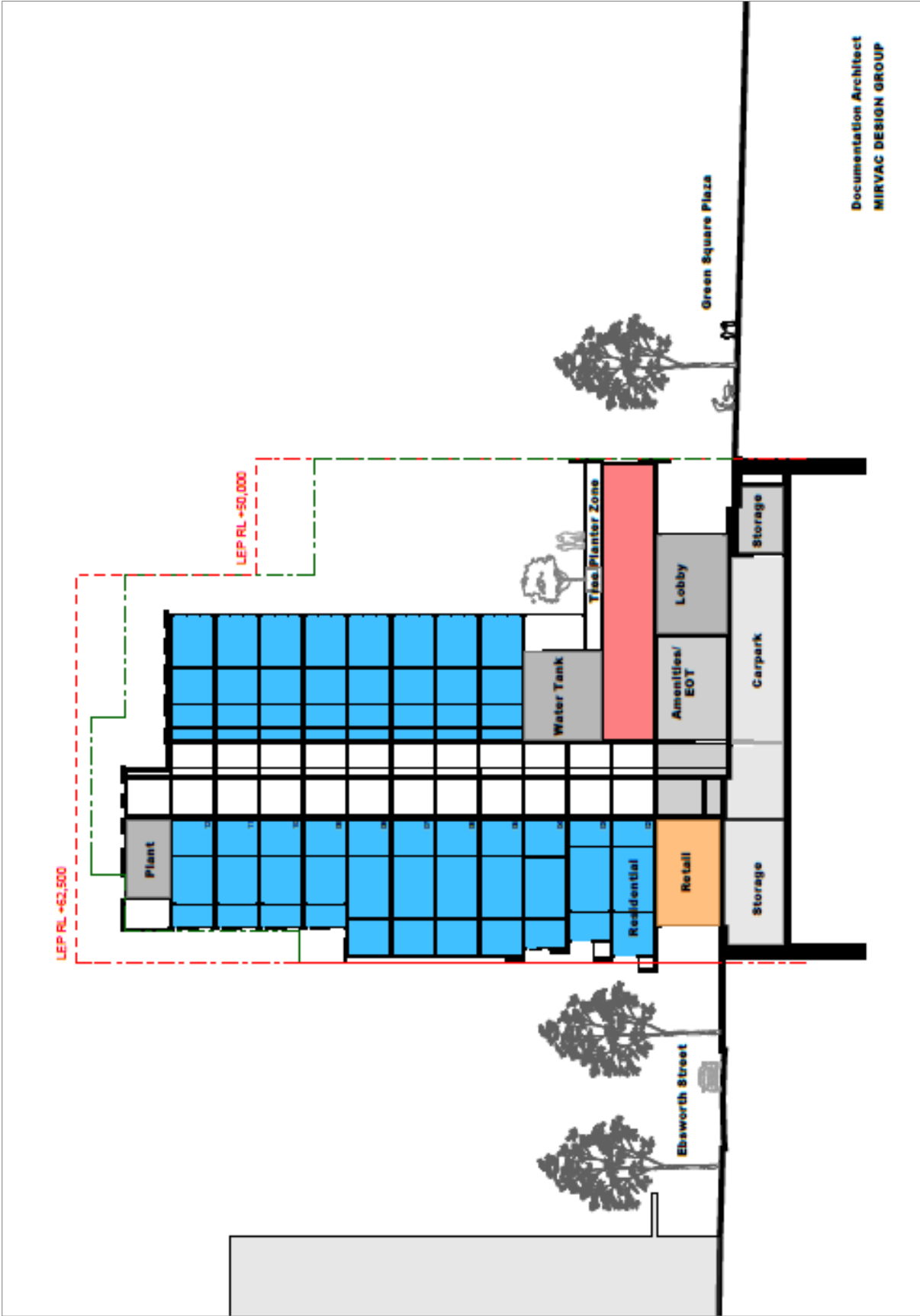
Source: Mirvac Design Group

1b: Site 7 section – Indicative proposed scheme (subject to Planning Proposal)



Source: Mirvac Design Group

1c: Indicative Site 17 section without proposed floor space transfer



Source: Mirvac Design Group

1d: Site 17 section – Indicative proposed scheme (subject to Planning Proposal)



Source: Mirvac Design Group

# ATTACHMENT A

## **2: Consultancy advice on proposed commercial development, Savills Valuation, 2016**

The Savills logo consists of the word "savills" in a lowercase, red, sans-serif font, positioned on a bright yellow rectangular background.

22 March 2016  
Our Ref: CP:MK: R369

Geoff Cohen  
Development Manager  
Mirvac  
Level 26  
60 Margaret Street  
Sydney NSW 2000

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Dear Geoff,

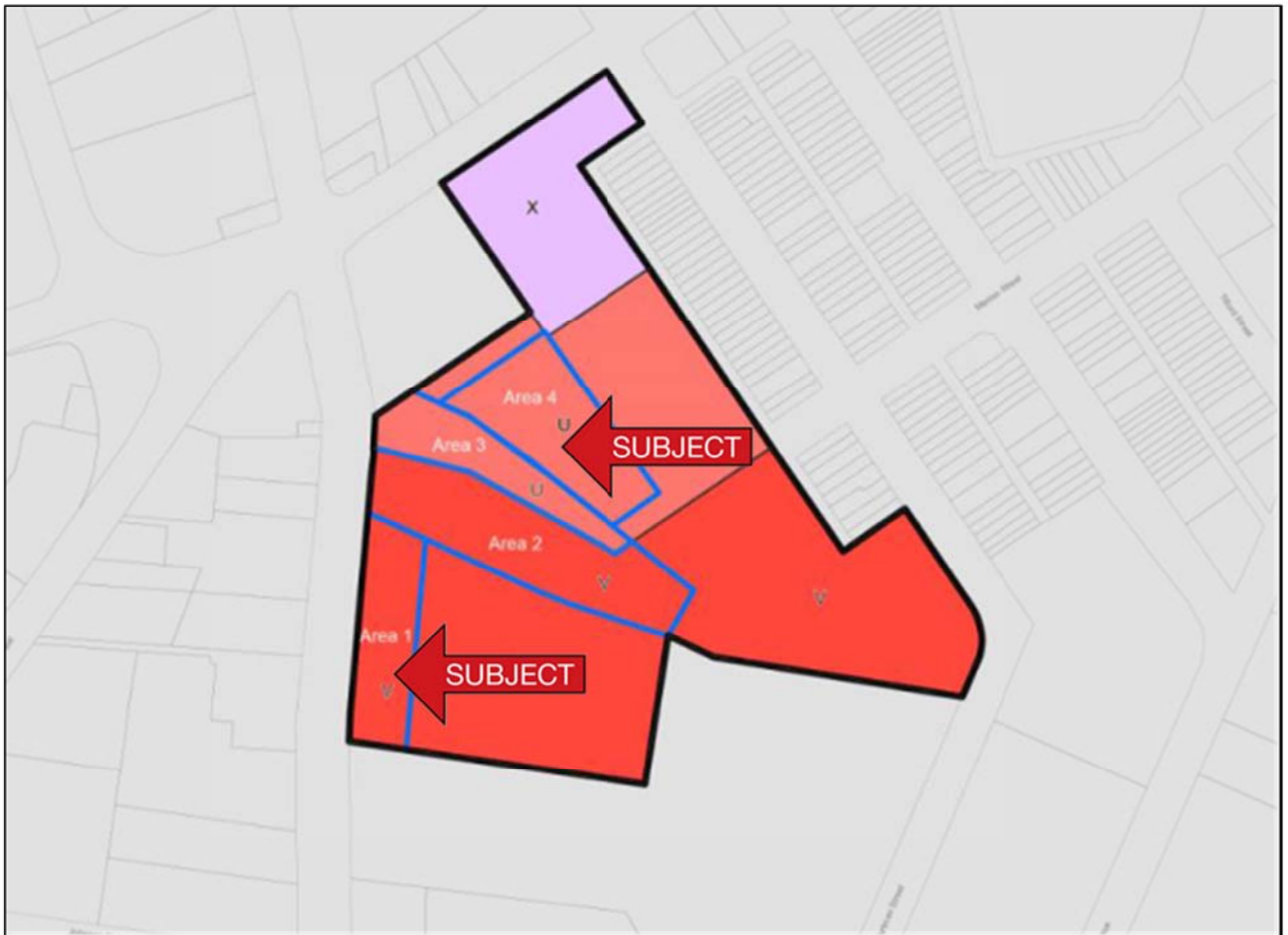
**Re: Consultancy Advice: Proposed Commercial Development Green Square Town Centre, Zetland, NSW**

We refer to your email, dated 9 March 2016 to provide Mirvac with consultancy advice on the proposed commercial development to be constructed on Sites 8A and 8B within the Green Square Town Centre.

Our consultancy advice is to have particular regard to any potential affectation on the marketability of the proposed commercial office building a reduction of 4,200m<sup>2</sup> in non-residential floor space would have in procuring commercial office tenants for Sites 8A and 8B and any impact it may have on viability and successful development of that land for commercial purposes.

Clause 4.4A of the Sydney Local Environmental Plan (Green Square Town Centre) 2013 allows for the construction of up to 48,600m<sup>2</sup> of floor space on Sites 8A and 8B to be utilised as office or business premises. We have been advised that Mirvac are seeking to transfer approximately 4,200m<sup>2</sup> of the allowable FSR from Sites 8A and 8B to nearby sites, Sites 7 and 17. This would effectively reduce the permissible floor space on Sites 8A and 8B to approximately 44,400m<sup>2</sup>.

Sites 8A and 8B (Area 1) together with Sites 7 and 17 (Area 4) are shown on the following Floor Space Ratio Map overleaf:



In order to ascertain the affectation on marketability of the proposed commercial office building, we have:

1. Provided market commentary on the suburban office market with a particular focus on the South Sydney commercial office precinct. This commentary provides a sound insight into the scale of offerings that are traditionally transacted within the South Sydney commercial office market in order for developers to successfully obtain funding to complete such developments. It also provides market evidence detailing the level of pre-commitment that is available and their scale. This generally will also dictate the total gross floor area deemed reasonable for a particular location.
2. Attempted to derive the largest commercial office transactions that have occurred within the South Sydney and surrounding metropolitan office market localities in the past 24 months as comparable evidence.



We have compiled leasing evidence relative to the commercial office market within South Sydney and provide same in the following graphical representation:



The previous mentioned evidence demonstrates a lettable area range of 1,100m<sup>2</sup> to 3,965m<sup>2</sup>. Further, we are also aware of a pending commercial office transaction at Rosebery for circa 2,700m<sup>2</sup>, however, as at the date of this advice, the landlord was seeking board approval and as such, we have been unable to confirm the pending execution of this transaction. Despite the range of evidence provided it should be noted that there appears to be limited demand for office space within South Sydney in the short term.

As part of our investigations, we have had discussions with commercial office leasing agents that are currently active within the South Sydney market which has derived lease deals greater than 3,000m<sup>2</sup> being a rarity in the current market, with a majority of prospective tenants typically seeking between 1,000m<sup>2</sup> to 1,500m<sup>2</sup> of gross lettable area with pre-commitments of a larger nature (i.e. 5,000m<sup>2</sup> to 10,000m<sup>2</sup>) virtually non-existent within the current market place.

We do, however, note the announcement in November 2015 of the Commonwealth Bank of Australia pre-committing to approximately 93,000m<sup>2</sup> of commercial office space at the Australian Technology Park, Redfern which is due for completion in 2020. This transaction is somewhat of a rarity in the market place and is not considered to be a rational comparison to the proposed development at Green Square and for the purposes of our advice, we have disregarded this transaction.

In addition to undertaking analysis of the most recent large leasing transactions and market reviews within South Sydney, we have also had regard to recent large lease deals and market reviews within surrounding Sydney metropolitan localities, namely the Parramatta CBD, North Ryde and Macquarie Park. Our evidence is provided in the following graphical representation overleaf:



As shown in the above tabled evidence, whilst there appears to be a number of larger transactions in comparison to South Sydney, the largest being the Attorney General's tenancy at the Justice Precinct in the Parramatta CBD comprising 19,841m<sup>2</sup> of gross lettable area, it appears there is a scarcity of large scale commercial office evidence that has transacted in the greater Sydney metropolitan commercial office market during the past 12-18 months.

Finally, we have had regard to the smaller floor plate size of the improvements proposed to be constructed on Sites 8A and 8B. These are considered to be less desirable for larger corporate tenants seeking modern office accommodation within South Sydney, inferring the proposed development would attract tenancies of a smaller size, ultimately proving significantly difficult to achieve the required level of pre-commitment lenders / financiers would generally impose prior to the release of funds allowing development commencement. Subsequent discussions undertaken with a number of financiers, suggests this figure would depend on the interest cover ratio on completion of the proposed development, which we have been advised ranges between 75% and 100% of the interest cover in place and is typically derived on a case by case basis, dependent on factors such as the quality of the asset, quality of the anchor tenants and location.

In summary and after having regard to the information provided herein, it is of our opinion that a 4,200m<sup>2</sup> reduction of non-residential floor space relative to a proposed commercial office development (to be housed on Sites 8A and 8B within the Green Square Town Centre) from 48,600m<sup>2</sup> to 44,400m<sup>2</sup> would not have a detrimental impact on the marketability of the development. Rather to the contrary, the total floor area available will be challenged by the evidence available for large scale pre-commitments to be procured in order for a successful development to be achieved.



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I trust that the advice above satisfies your requirements, however, should you require anything further please do not hesitate to contact me.

Savills Valuations Pty Ltd liability is limited by a scheme approved under Professional Standards Legislation.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Chris Paul", written in a cursive style.

Chris Paul  
State Director - NSW  
Valuation & Advisory

