

ATTACHMENT A

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**PLANNING PROPOSAL: GAZCORP SITE
(296-298 BOTANY ROAD AND
284 WYNDHAM STREET, ALEXANDRIA)**

DATED AUGUST 2016

Planning Proposal

Gazcorp Site (296-298 Botany Road and 284 Wyndham Street, Alexandria)

August 2016

Sydney 2030 / Green / Global / Connected



city of villages

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INTRODUCTION

This Planning Proposal explains the extent of, and justification for, proposed amendments to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) as it applies to 296-298 Botany Road and 284 Wyndham Street, Alexandria (the site). This Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and guidelines published by the Department of Planning and Environment including 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans'. It follows a request from the landowner, Gazcorp, to Council to prepare a Planning Proposal.

Specifically, this Planning Proposal seeks to amend the maximum permissible building height control for the site as contained in Sydney LEP 2012. More detailed planning controls are contained within a draft amendment to Sydney Development Control Plan 2012 (Sydney DCP 2012) which has been prepared alongside this Planning Proposal.

BACKGROUND

Site location

The site is in the southern part of the City of Sydney Local Government Area in the suburb of Alexandria. It is located at the centre of the Green Square Urban Renewal Area, immediately to the north west of the Green Square Town Centre and Green Square Train Station. It has frontages to Botany Road, Wyndham Street and Bourke Road and is a prominent corner site. A location plan is at Figure 1, with the site marked in blue.

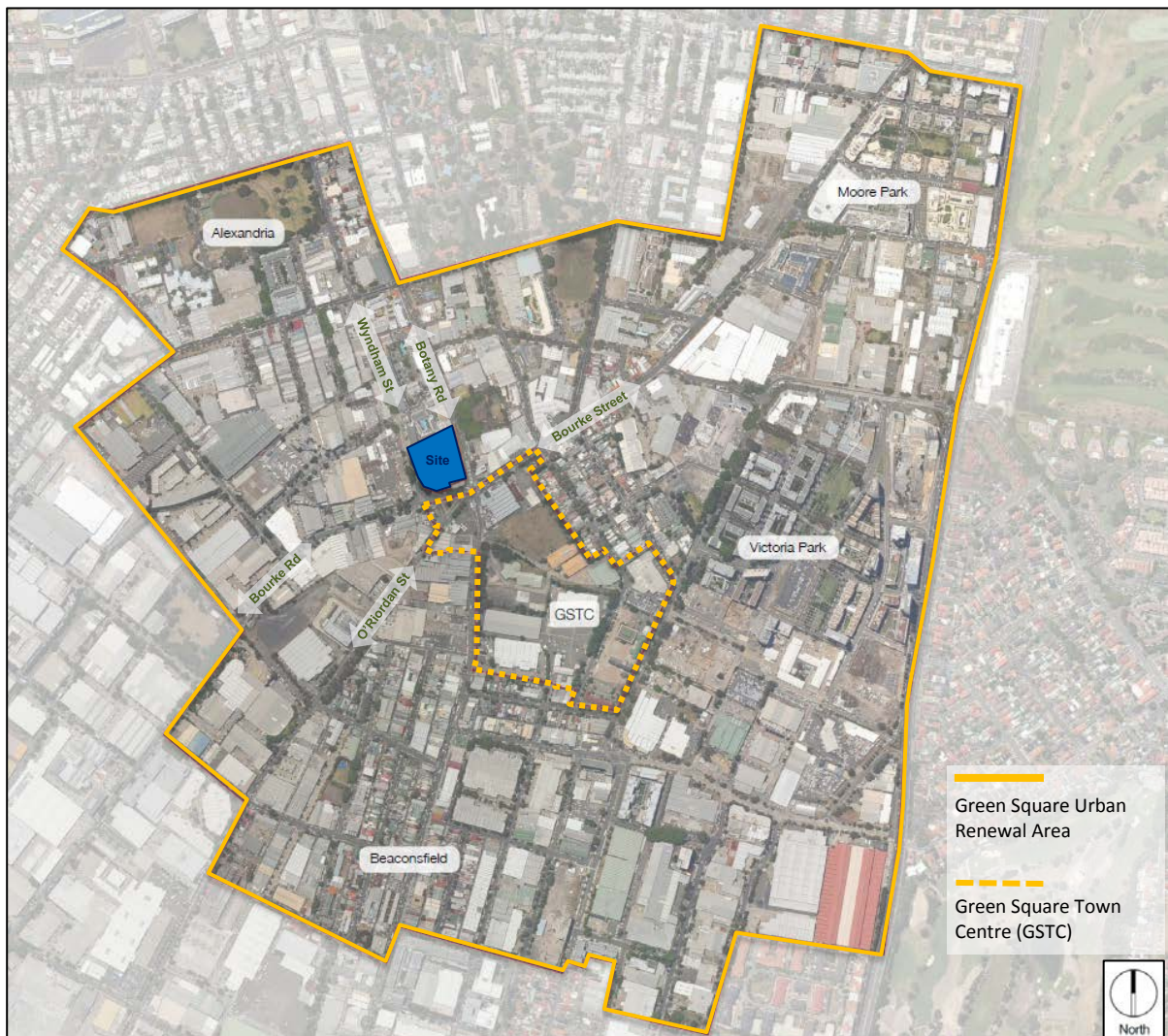


Figure 1: Location plan

Figure 2 shows the site, shaded blue, as it relates to the Green Square Town Centre, outlined in orange.

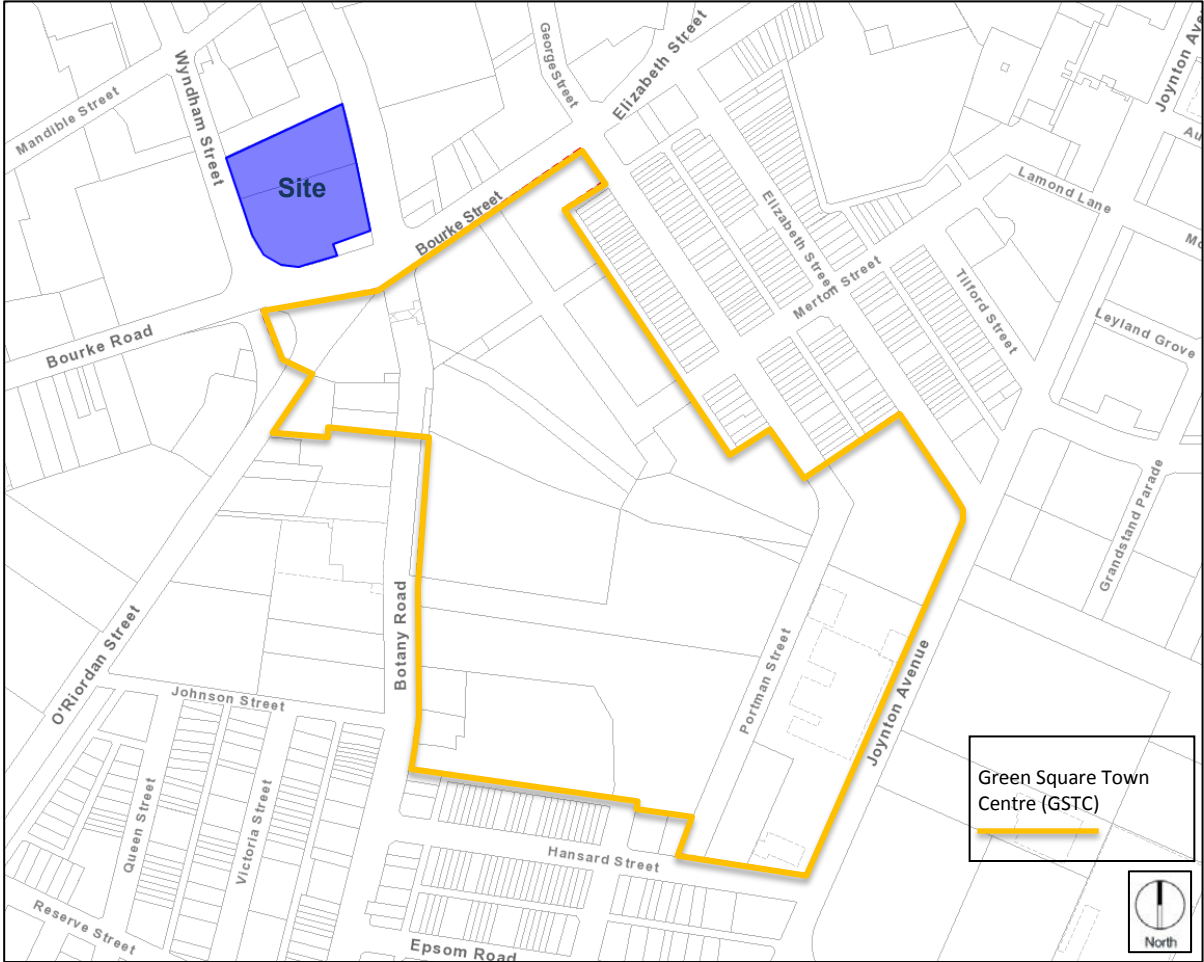


Figure 2

Site characteristics

The site comprises two separate lots. Lot 1 in Deposited Plan 544953 (commonly referred to as 296-298 Botany Road) is 3,938 square metres in area. Lot 1 in Deposited Plan 708087 (commonly referred to as 284 Wyndham Street) is 5,202 square metres in area. The total site area is 9,135 square metres.

The site's northern boundary fronts 290-294 Botany Road and is approximately 100 metres in length. The site's other boundaries front public streets as follows: 100 metres frontage to Botany Road to the east; 54 metres frontage to Bourke Road to the south; and 74 metres frontage to Wyndham Street to the west. The site also shares a boundary with 310a Botany Road. This site is discussed in more detail below. There is a cross fall of approximately 4 metres from east to west across the site. Figure 3 shows the site and lot boundaries.

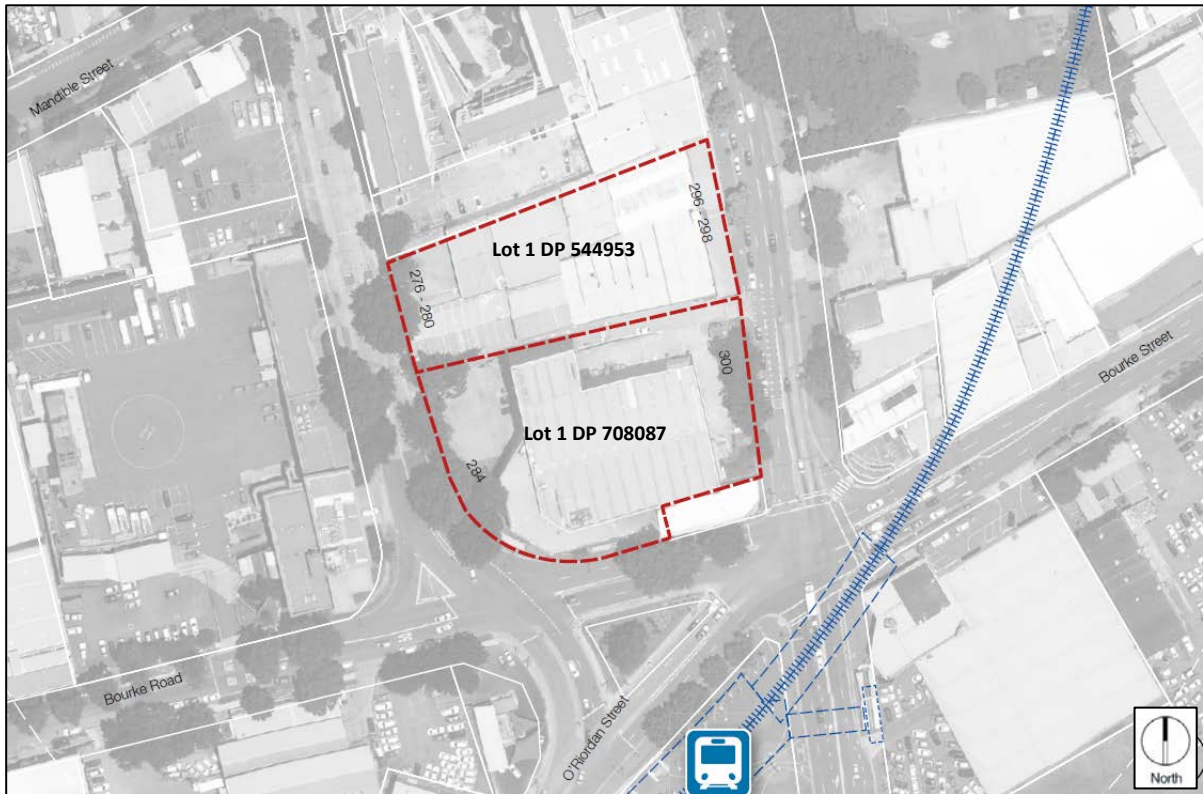


Figure 3: Lot boundaries

Existing development on the site

The site is currently occupied by two warehouse buildings. A large two storey retail outlet store stands on the southern part of the site with frontage to Bourke Road. This building has a large at-grade concrete parking area accessible from both Wyndham Street and Botany Road. A part-one, part-two storey building stands on the northern part of the site. This building accommodates storage uses at ground floor and commercial office space at first floor and has access from Botany Road. Existing development on the site is shown in Figures 4 to 7.



Figure 4: The site (both lots) as viewed looking north from the corner of Bourke Road and Botany Road. 310a Botany Road in foreground.



Figure 5: The site (southern lot) as viewed looking east from the corner of Bourke Road and Wyndham Street.



Figure 6: The site (northern lot) as viewed looking west from Botany Road.



Figure 7: The site (northern lot) as viewed looking east from Wyndham Street

Surrounding development

The site is surrounded by a mix of different development comprising residential, commercial, retail and light industrial uses. Immediately to the north at 290-294 Botany Road is a three storey retail and commercial building and an eight storey mixed use building with commercial and retail uses at ground floor and residential apartments above. Further north are a number of others residential, commercial and mixed use buildings ranging between five and ten storeys. To the south at 310a Botany Road, within the same street block, is a two and three storey retail outlet store. Further south on the opposite side of Bourke Road, is the Green Square Train Station within the Green Square Town Centre and several retail warehousing and light industrial buildings. To the south-east are the core sites of the Green Square Town Centre where construction of mixed use buildings and public domain has already commenced. To the east on the opposite side of Botany Road are a number of two storey commercial buildings and the heritage listed Green Square School. To the west on the opposite side of Wyndham Street is the NSW Fire Brigade State Training College which comprises numerous low scale buildings, a tall training structure and large areas of hardstand car parking. Existing development on surrounding sites is shown in Figures 8 to 12.



Figure 8: Development to the north fronting Botany Road



Figure 9: Development to the north fronting Wyndham Street



Figure 10: Development to the east fronting Botany Road



Figure 11: Development to the east at the Bourke Road and Botany Road intersection



Figure 12: Part of the NSW Fire Brigade Training College, fronting Wyndham Street to the west

Planning history

The site has been the subject of a number of development applications and Land and Environment Court proceedings in recent years. The site's recent planning history is summarised below.

Development application D/2007/1566

On 20 August 2007, Gazcorp lodged a development application with Council seeking consent for the demolition of the existing light industrial buildings and construction of a part three and part four storey mixed use building comprising 14,949 square metres of retail floor space and 10,733 square metres of commercial floor space with three basement levels containing 614 parking spaces accessed from Wyndham Street. The retail floor space included a full line supermarket of approximately 4,000 square metres. Deferred commencement consent was granted by the Central Sydney Planning Committee on 4 February 2008.

On 23 February 2010 a Section 95 Lapsing of Consent application (D/2007/1566/1) was lodged with Council seeking an extension of the consent. Council approved this application on 8 March 2010, thus extending the application lapse date to 17 February 2012.

On 26 May 2010 the Environmental Planning and Assessment Act 1979 (Development Consent) Bill 2010 commenced. This amended section 95 of the Act and thus afforded the original consent an extended lapse date of 17 February 2014. This consent has now lapsed.

Section 96 application D/2007/1566/A

On 7 May 2008 Gazcorp lodged a section 96 modification to D/2007/1566 with Council seeking to increase the amount of retail floorspace; reduce the amount of office floor space; make internal alterations and façade changes; provide 186 additional car parking spaces and obtain a section 94 credit. Following discussions with Council, this application was withdrawn by the proponent on 18 December 2008.

Section 96 application D/2007/1566/B

On 26 November 2008 Gazcorp lodged a section 96 modification to D/2007/1566 with Council seeking to allow the deferred commencement condition to be satisfied within 21 months from the date of determination. This application was approved by Council on 2 February 2009.

Development application D/2008/1092

On 2 July 2008 Gazcorp lodged a development application with Council seeking consent to demolish the existing buildings and construct a part 3 part 4 storey development comprising 23,717 square metres of total retail floor space (including a full line supermarket of approximately 4,000 square metres) plus 3,686 square metres of commercial floor space and four levels of basement parking for 800 vehicles.

LEC Proceedings 11081 of 2008: Humphrey and Edwards Pty Ltd v. Council of the City of Sydney

Subsequent to lodging D/2008/1092 Gazcorp lodged an appeal with the Land and Environment Court on the basis of a deemed refusal. The subject development application sought a net increase of retail floor space from the amount approved under D/2007/1566 and an additional basement car parking level accommodating 186 car parking spaces. A primary concern of Council was that the increased retail component would likely have a detrimental impact on the vitality, viability and ultimate success of the Green Square Town Centre and threaten broader strategic planning objectives for Sydney at a metropolitan level.

The Court dismissed the appeal and refused the development application, finding that:

- The amount of retail floor space would have an adverse impact on the role of the Green Square Town Centre;
- The proposed development will create unacceptable "...economic impacts in the locality" (s79C(1)(b)) and will not be in "the public interest" (s79C(1)(e));

- The proposed development is in conflict with the objectives of the Act 1979 in that it does not encourage “the promotion and coordination of the orderly and economic use and development of land” (s5(a)(ii));
- The significant inconsistency of the proposed development with the adopted planning controls, not only in numerical terms but the likely impact on the Green Square Town Centre, is not in the public interest;
- The proposal was not in “the public interest” given the substantial financial commitment already made on the implementation of the Green Square Town Centre based on the existing planning controls and the likely additional future expenditure; and
- The connectivity between the site and the Green Square Town Centre is not optimal in relation to pedestrian accessibility and safety.

Development application D/2012/1021

On 6 July 2012 Gazcorp lodged a development application with Council seeking consent to demolish the existing buildings and construct a three storey development comprising 8,919.5 square metres of total retail floor space (including a full line supermarket of approximately 3,800 square metres) plus 2,330.5 square metres of commercial floorspace and two levels of basement car parking for 327 vehicles. Deferred commencement approval was granted and a notice of operational consent was issued on 20 November 2013. This consent will lapse on 20 November 2018.

Section 96 application D/2012/1021/A

On 27 February 2013 Gazcorp lodged a section 96 application with Council seeking to amend a number of conditions related to the fit-out, use and operation of a supermarket tenancy within the base building. Consent was granted on 18 April 2013.

Section 96 application D/2012/1021/B

On 23 December 2015 Gazcorp lodged a second section 96 application with Council seeking to amend the consent granted under D/2012/1021. The application seeks to make a number of amendments to the design of the podium including reduction in car parking provision, realignment of finished floor levels in the building, reconfiguration of the retail tenancies to include a new mall configuration, changes to the building façade and frontages and reconfiguration of commercial space on Level 1. The application proposes a net decrease in retail tenancies to 6,055 square metres and commercial floorspace to 1,105 square metres. The application is currently being assessed by the City separately to the proposed changes to the planning controls sought by this Planning Proposal.

Current planning controls

The site is located on land zoned B4 Mixed Use under Sydney LEP 2012. A wide range of uses are permissible with consent in this zone including the commercial and light industrial uses for which the site is currently used. Also permissible within this zone are the retail and commercial uses for which previous development applications have sought consent, and the residential use for which the additional building height sought through this Planning Proposal would be used.

A base Floor Space Ratio (FSR) of 2:1 is permissible on the site under Sydney LEP 2012. The site is also eligible for additional floorspace under clause 6.14 of Sydney LEP 2012 subject to the delivery of community infrastructure. Under this clause, the southern lot is eligible for 2.2:1 additional FSR while the northern lot is eligible for 1.5:1 additional FSR. Subject to the provision of community infrastructure, an FSR of 4.2:1 is permissible on the southern lot and an FSR of 3.5:1 is permissible on the northern lot. Across the site as a whole, this equates to a maximum permissible FSR of 3.9:1. The site is also eligible for additional FSR subject to demonstrating design excellence under clause 6.21 of Sydney LEP 2012 as discussed below. The maximum potentially permissible gross floor area across the site as a whole is shown in the table below. This Planning Proposal seeks to include a clause in Sydney LEP 2012 which clarifies the maximum gross floor area permissible across both lots. This clause would provide clarity only and would not result in any increase in permissible gross floor area above what is already permissible.

| 284 Wyndham Street – 5,202 sqm site area | 296-298 Botany Road – 3,938 sqm site area |
|--|--|
| Base FSR 2:1 = 10,404 sqm | Base FSR 2:1 = 7,876 sqm |
| Community infrastructure FSR 2.2:1 = 11,444.4 sqm | Community infrastructure FSR = 5,907 sqm |
| Total GFA = 21,848.4 sqm | Total GFA = 13,783 sqm |
| Total site GFA = 35,631.4 sqm | |
| + 10% FSR for Design Excellence (3,563.14 sqm) (potential) | |
| Total permissible GFA = 39,194.54 sqm | |

Two height controls apply to the site under Sydney LEP 2012: A maximum of 22 metres applies to the northern lot and a maximum of 60 metres applies to the southern lot. The site is also eligible for additional height subject to demonstrating design excellence under clause 6.21 of Sydney LEP 2012 as discussed below. Clause 6.21 of Sydney LEP specifies that an additional 10% height or FSR (not both) is permissible on the site where design excellence is demonstrated through a competitive design process.

Planning Proposal request

In December 2014, JBA submitted a Planning Proposal request to the City on behalf of the landowner Gazcorp Pty Ltd. The request included a Planning Justification Report prepared by JBA, and supporting studies including an Urban Design Report prepared by SJB Architects and a Traffic Assessment prepared by AECOM. The request sought an amendment to the two height controls for the site under Sydney LEP 2012 from 22 metres to up to 85 metres and from 60 metres to 65 metres. The proposed amendments seek to provide greater flexibility across the site to achieve a better built form outcome than could be achieved under the existing controls. The proposed redevelopment of the site is anticipated to include a three to four storey podium building accommodating retail and commercial uses and car parking and three residential towers of differing heights on top of the podium. The proposal also includes a child care centre with capacity to accommodate approximately 100 children. The proposed development is discussed in greater detail in the body of this Planning Proposal.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

This Planning Proposal will:

- enable the orderly redevelopment of 296-298 Botany Road and 284 Wyndham Street for residential, retail and commercial uses;
- facilitate the delivery of market housing in an area with excellent access to public transport, social infrastructure, employment opportunities, goods and services;
- ensure that new development responds appropriately to the surrounding built form context and provides an appropriate transition between taller development in the Green Square Town Centre and lower scale development to the north and east of the site;
- ensure that existing and future neighbouring properties and the Green Square Plaza receive adequate solar access; and
- facilitate the delivery of significant public benefits including community infrastructure floorspace contributions and achievement of above minimum BASIX rating.

PART 2 – EXPLANATION OF PROVISIONS

To achieve the intended outcomes, this Planning Proposal seeks to amend planning controls in Sydney LEP 2012 as follows:

- Amend Height of Buildings Map Sheets 17 and 18 of *Sydney Local Environmental Plan 2012* in accordance with the proposed Height of Buildings Map shown at Part 4 of this Planning Proposal.
- Insert a new clause under 'Division 5 Site Specific Provisions' of *Sydney Local Environmental Plan 2012* to:
 - provide clarification of the maximum gross floor area potentially permissible on the site; and
 - link achievement of the Design Excellence floor space incentive to meeting a BASIX energy score which exceeds the State-mandated minimum target.
- Amend clause 4.6(8) to ensure that the gross floor area specified in site-specific clause 6.XX(2) may not be exceeded.

Recommended wording of site-specific clause

6.XX - Gazcorp Site

(1) *This clause applies to the Gazcorp Site at 296-298 Botany Road, Alexandria being Lot 1 DP 544953 and 284 Wyndham Street, Alexandria being Lot 1 DP 708087.*

(2) *Development consent must not be granted to development on land to which this clause applies if development will result in the gross floor area of all buildings being more than 39,194.54 square metres inclusive of any and all gross floor area permitted under clauses 6.12, 6.14 and 6.21.*

(3) *Before granting development consent to any additional floor space referred to in 6.21(7)(b), the consent authority must be satisfied that any part of the building that is BASIX affected development is rated at least at 5 points above the minimum State-mandated BASIX points target for energy.*

Intent of site specific sub-clause (2)

6.XX (2) is intended to provide clarity where the two lots which comprise the site are redeveloped as one. It does not alter the gross floor area for which the site is currently eligible under Sydney LEP 2012.

The above wording will be subject to final drafting and agreement by Parliamentary Counsel.

Use of RLs in place of height in metres

Currently the northern lot has a single maximum height control of 22 metres and the southern lot has a single maximum height control of 60 metres. It is proposed to amend the height map to replace these broad maximums, expressed in metres, with more detailed areas, with maximums expressed in Reduced Levels (RLs). The proposed RLs range from RL 79 to RL 96.5. This equates to approximately 69 metres and 86 metres, as measured from existing ground level. The RLs have been set to provide certainty of built form outcome while still allowing sufficient flexibility for design evolution through the competitive design and development application processes.

RLs reduce or equate levels to a common datum whereas the height in metres control under the Standard Instrument LEP is measured from existing ground level. RLs can more easily reflect topography, finished street levels and flood levels for example. In addition, height in metres under the Standard Instrument LEP are subject to rounding in three metre intervals. In the context of this site, rounding heights up or down by this magnitude would have the potential to significantly impact upon solar access or to reduce development capacity. Given the extensive urban design analysis of this site undertaken by both the proponent and the City, using RLs is an appropriate approach. The Department of Planning and Environment has expressed in-principle support for using RLs to map heights on this site.

Site specific DCP

Site specific draft development control plan (draft DCP) provisions have been prepared to provide further guidance to the proposed amendments to Sydney LEP 2012. The draft DCP will be publicly exhibited with the Planning Proposal. In order to give certainty as to the position of residential towers on the site, and safeguard amenity, the draft DCP includes provisions relating to building form and location, bulk and massing of buildings, street frontage heights, setbacks and vehicular entrances.

PART 3 - JUSTIFICATION

Section A – Need for the planning proposal

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

This Planning Proposal has been prepared in response to a number of detailed studies undertaken on behalf of the landowner, Gazcorp Pty Ltd. The key findings of these studies are described and discussed in detail in Section C of this Planning Proposal. The individual studies, and subsequently issued addendums and clarifying statements are appended to this Planning Proposal as follows:

- Appendix A: Urban Design Study - SJB
- Appendix B: Traffic Assessment - AECOM
- Appendix C: Wind Report – CPP
- Appendix D: Road Traffic Noise Report – Renzo Tonin
- Appendix E: Preliminary Aeronautical Impact Assessment – Strategic Airspace

The above studies, along with a Planning Justification Report prepared by JBA, were submitted to the City in December 2014. The City engaged MAKO Architecture to undertake a detailed independent assessment of the preferred built form scheme. The findings of the MAKO Architecture report were used by SJB to further develop and refine the proponent's preferred scheme. Where relevant, updated reports and addendums were prepared by the above consultants assessing the impact of the refined scheme. The findings and recommendations of the above reports are discussed in detail in Section C of this Planning Proposal.

The result of this collaborative and iterative process between the proponent and the City, is this Planning Proposal. It details the proposed amendments to Sydney LEP 2012 which will facilitate redevelopment with acceptable environmental impacts and demonstrable public benefits including greater activation of the public domain and a building height, bulk and scale appropriate to the context of the site and its surroundings.

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

The current height controls for the site under Sydney LEP 2012 permit buildings up to 60 metres on the southern lot and up to 22 metres on the northern lot.

SJB developed a number of schemes which comply with the height control. These options demonstrate the difficulty of accommodating the maximum permissible GFA within the height control while also achieving a good urban design outcome and complying with important objectives of the Apartment Design Guide under SEPP 65. This is discussed in greater detail in Section C of this Planning Proposal. Given the close proximity of the site to public transport, social infrastructure, employment opportunities, goods and services, it is appropriate to facilitate residential development in this location. The preferred residential scheme developed collaboratively between the City and the proponent exceeds the current height control by up to 65 metres on the northern lot and 25 metres on the southern lot.

Under Clause 4.6 'Exceptions to development standards' of Sydney LEP 2012, development consent may be granted, subject to certain criteria, for development which exceeds the height as set out on the relevant map. However, the height of the preferred scheme is considered a significant departure from the current height standard. Approval of a development application which contravenes a height standard to this degree would set an undesirable precedent that would undermine the Sydney LEP 2012 height controls and preclude full consideration of the broader strategic considerations of allowing additional height on this site.

As such, the most appropriate means of achieving the objectives for the site is progressing an amendment to the current height control under Sydney LEP 2012 by way of a Planning Proposal. This will provide an opportunity to deliver significant public benefit and allow the community and surrounding landowners an opportunity to comment on proposed changes, providing greater certainty for all affected stakeholders.

Section B – Relationship to 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 the exhibited draft strategies)?

A Plan for Growing Sydney

The Plan for Growing Sydney is a NSW Government strategic document that outlines a vision for Sydney over the next 20 years. It identifies key challenges facing Sydney including a population increase of 1.6 million by 2034, 689,000 new jobs by 2031 and a requirement for 664,000 new homes.

In responding to these and other challenges, 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.

To achieve these goals, the plan proposes 22 directions and associated actions. Actions of particular relevance to this Planning Proposal include: 1.7 Grow strategic centres; 2.1 Accelerate housing supply across Sydney; 2.2 Accelerate urban renewal across Sydney; and 2.3 Improve housing choice to suit different needs and lifestyles.

This Planning Proposal is consistent with several relevant goals, directions and actions of the plan. Specifically, it will:

- Facilitate redevelopment of the site to include commercial and retail premises, resulting in the creation of new jobs;
- Promote urban renewal of a site which is accessible by public transport;
- Encourage supply of new and diverse residential accommodation; and
- Encourage the provision of critical community facilities including a child care centre

NSW Government District Plans – Central District

The NSW Government is preparing plans for each of the six districts that comprise the Sydney Metropolitan Area. The City of Sydney is in the Central District. The District Plans will set out how *A Plan for Growing Sydney* will apply to local areas. They will influence the delivery of housing supply, inform and influence planning for business and jobs growth, particularly in strategic centres and inform the decision making for infrastructure planning.

The District Plans are currently being prepared by the NSW Government in consultation with a wide range of stakeholders. It is anticipated that a priority for Green Square under the new District Plan will be to continue to provide capacity for mixed use development including offices, retail, services and housing. This Planning Proposal is consistent with this broad priority.

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

The City's Sustainable Sydney 2030 Strategic Plan is the vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This Planning Proposal is consistent with key directions of Sustainable Sydney 2030 as demonstrated in the below table.

| Consistency with Sustainable Sydney 2030 | |
|---|---|
| Direction | Comment |
| Direction 2 – A leading environmental performer | Redevelopment of the site, facilitated by this Planning Proposal, will deliver new building stock with significantly better environmental performance than the current commercial buildings. Any future design competition for the site will be judged in part against the environmental sustainability credentials of the building. |
| Direction 3 – Integrated transport for a connected city | The site is situated directly adjacent to Green Square Train Station which offers regular services to the airport and central Sydney. The site is also serviced by bus routes which connect it to central Sydney and neighbouring areas. |
| Direction 4 – A city for walking and cycling | This Planning Proposal will facilitate the delivery of new residential, retail and commercial floor space in close proximity to a range of existing and future services and in doing so encourage active transport. The new uses and design of the ground floor will lead to greater activation of the public domain and a greater sense of security, encouraging further pedestrian activity. |
| Direction 6 – Vibrant local communities and economies | This Planning Proposal will facilitate the redevelopment of a large area of land for residential and retail uses. The commercial floorspace at the podium levels will provide for retail tenancies which will activate the site and generate economic activity. |
| Direction 8 – Housing for a diverse population | This Planning Proposal will facilitate the provision of approximately 480 new dwellings by the private market in accordance with objective 8.1. Development on the site will also be subject to the Green Square Affordable Housing Contributions levy required under Sydney LEP 2012. |
| Direction 9 – Sustainable development, renewal and design | This Planning Proposal will amend the planning controls to ensure that built form responds to the surrounding context and delivers a high level of amenity for future residents. The design excellence provisions of Sydney LEP 2012 will continue to apply to the site ensuring a high quality and sustainable development. |

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The consistency of this Planning Proposal with current 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.

| Consistency with SEPPs | |
|---|---|
| State Environmental Planning Policy (SEPP) | Comment |
| SEPP No 1—Development Standards | Not applicable. |
| SEPP No 14—Coastal Wetlands | Not applicable. |
| SEPP No 19—Bushland in Urban Areas | Not applicable. |
| SEPP No 21—Caravan Parks | Not applicable. |
| SEPP No 26—Littoral Rainforests | Not applicable. |
| SEPP No 30—Intensive Agriculture | Not applicable. |
| 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 44—Koala Habitat Protection | Not applicable. |
| SEPP No 47—Moore Park Showground | Not applicable. |
| SEPP No 50—Canal Estate Development | Not applicable. |

| Consistency with SEPPs | |
|--|---|
| State Environmental Planning Policy (SEPP) | Comment |
| SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas | Not applicable. |
| SEPP No 55—Remediation of Land | Consistent - This Planning Proposal does not contradict or hinder application of this SEPP. The proponent has provided evidence confirming that the site can be made suitable for residential uses. |
| 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 built form analysis which underpins the proposed height and building envelope controls reflects the requirements of the Apartment Design Guide. |
| SEPP No 70—Affordable Housing (Revised Schemes) | Consistent - The Planning Proposal does not contradict or hinder application of this SEPP. The Green Square Affordable Housing Scheme will continue to apply to this site under Sydney LEP 2012. |
| 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. |
| 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 (Sydney Region Growth Centres) 2006 | Not applicable. |
| SEPP (Infrastructure) 2007 | Consistent. Under Clause 86 of the SEPP, development including excavation within 25 metres of a rail corridor must be referred to the relevant rail authority for concurrence. It is proposed to refer the Planning Proposal to RailCorp during the public exhibition. |
| SEPP (Kosciuszko National Park—Alpine Resorts) 2007 | Not applicable. |
| SEPP (Mining, Petroleum Production and Extractive Industries) 2007 | Not applicable. |
| 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 | Consistent - The Planning Proposal does not contradict or hinder application of this SEPP. |
| SEPP (Western Sydney Employment Area) 2009 | Not applicable. |
| SEPP (Development on Kurnell Peninsula) 2005 | Not applicable. |

The below table 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 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. |
| 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 | Consistent - The Planning Proposal does not contradict or hinder application of this REP. |
| 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)?

This Planning Proposal has been assessed against each Section 117 direction. Consistency with these directions is shown in the table below.

| No. | Title | Comment |
|------------------------------------|--|----------------|
| 1. Employment and Resources | | |
| 1.1 | Business and Industrial Zones | Not applicable |
| 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 |
| 2. Environment and Heritage | | |
| 2.1 | Environment Protection Zones | Not applicable |

| No. | Title | Comment |
|--|---|--|
| 2.2 | Coastal Protection | Not applicable |
| 2.3 | Heritage Conservation | Consistent. This Planning Proposal will not hinder protection of the heritage listed Green Square School which is situated in close proximity to the subject site. |
| 2.4 | Recreation Vehicle Areas | Not applicable |
| 2.5 | Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs | Not applicable |
| 3. Housing Infrastructure and Urban Development | | |
| 3.1 | Residential Zones | Consistent. This Planning Proposal will facilitate the delivery of approximately 480 new dwellings on the site, increasing the amount and variety of housing in the City of Sydney LGA. |
| 3.2 | Caravan Parks and Manufactured Home Estates | Not applicable |
| 3.3 | Home Occupations | Consistent. This Planning Proposal does not contradict or hinder application of the home occupation provisions in Sydney LEP 2012. |
| 3.4 | Integrating Land Use and Transport | Consistent. 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). |
| 3.5 | Development Near Licensed Aerodromes | Not applicable |
| 3.6 | Shooting Ranges | Not applicable |
| 4. Hazard and Risk | | |
| 4.1 | Acid Sulfate Soils | Consistent. This Planning Proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012. |
| 4.2 | Mine Subsidence and Unstable Land | Not applicable |
| 4.3 | Flood Prone Land | Consistent. This Planning Proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012. |
| 4.4 | Planning for Bushfire Protection | Not applicable |
| 5. Regional Planning | | |
| 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 |

| No. | Title | Comment |
|---------------------------------|--|---|
| 5.10 | Implementation of Regional Plans | Consistent. This Planning Proposal does not contradict or hinder the implementation of the Central Regional Plan |
| 6. Local Plan Making | | |
| 6.1 | Approval and Referral Requirements | 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 | Consistent. This Planning Proposal does not contradict or hinder the application of this direction. |
| 7. Metropolitan Planning | | |
| 7.1 | Implementation of A Plan for Growing Sydney | Consistent. This Planning Proposal does not contradict or hinder application of A Plan for Growing Sydney. |
| 7.2 | Implementation of Greater Macarthur Land Release Investigation | Not applicable |

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 subject site is located in an urban area and does not contain any known critical habitat or threatened species, populations or ecological communities or habitats. The site does not contain any trees. Notwithstanding this, in considering any future development application for the site, 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. This will include an assessment of any street trees adjacent to the site and retention of these where possible.

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

This Planning Proposal seeks to amend the height control for the site under Sydney LEP 2012 and in doing so facilitate redevelopment of the site for commercial, retail and residential uses. In preparing this Planning Proposal, a number of environmental considerations were assessed. These are discussed in detail below.

Indicative scheme

Figures 13 and 14 show visualisations of the indicative scheme and figures 15 and 16 show a building envelope within which the indicative scheme may be realised.



Figure 13: Indicative scheme viewed from north east



Figure 14: Indicative scheme viewed from south west

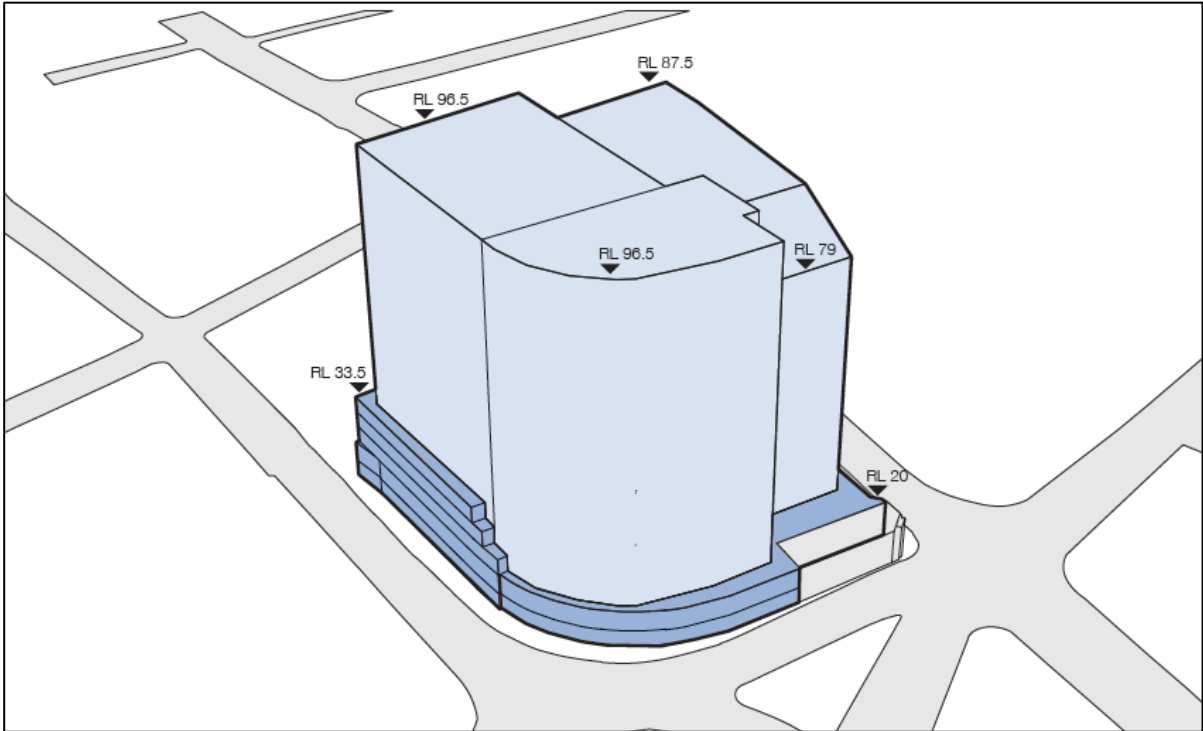


Figure 15: Maximum permissible envelope viewed from south west

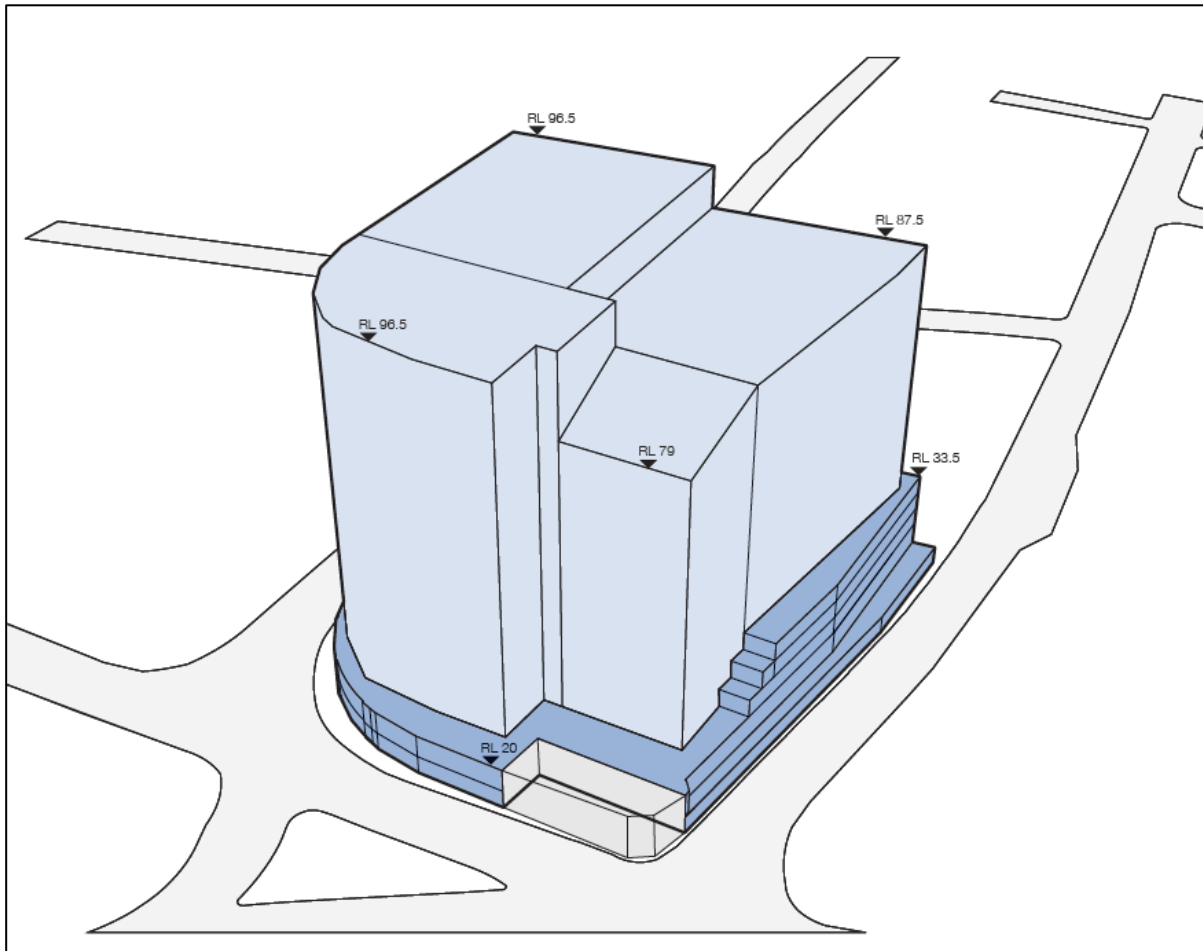


Figure 16: Maximum permissible envelope viewed from south east

In arriving at the preferred indicative scheme, SJB analysed several initial built form options. These options seek to demonstrate the difficulty in achieving the maximum permissible floor space within the maximum permissible height limit and demonstrate various built form outcomes that may be achieved on the site, both compliant and non-compliant. The options tested are shown at Attachment A.

The report concludes that seeking to achieve the maximum permissible floorspace within the current height controls results in relatively poor built form outcomes. These outcomes generally comprise excessive bulk which dominates the streetscape and is overbearing from the public domain; large and slow moving shadows resulting in low levels of solar access to surrounding sites and public domain; and a poor relationship to surrounding built form context and transition between adjacent areas.

The preferred indicative scheme is based on a redistribution of permissible GFA across both lots and was developed by SJB in close consultation with the City. It comprises a four storey podium building comprising retail and commercial floorspace and above ground vehicle parking. One level of below ground car parking is also provided. The retail floorspace and basement car parking elements of the podium are subject to an existing Section 96 modification application discussed earlier in this Planning Proposal. The upper levels of the podium including the above ground car parking to service the residential component will be subject to future development applications.

On top of the podium the residential component comprises three towers of differing heights. The tower fronting Wyndham Street on the western part of the site has a maximum height of RL 96.5 and 19 storeys. The tower fronting Bourke Road is RL 96.5 at its highest point on the western side and steps down to RL 79 at its lowest point on the eastern side. The tower fronting Botany Road has a maximum height of RL 77.9. By adopting a more even distribution of permissible GFA across both lots, the massing of the preferred scheme provides a more appropriate response to the surrounding built form context. Figure 17 shows the surrounding permissible heights.

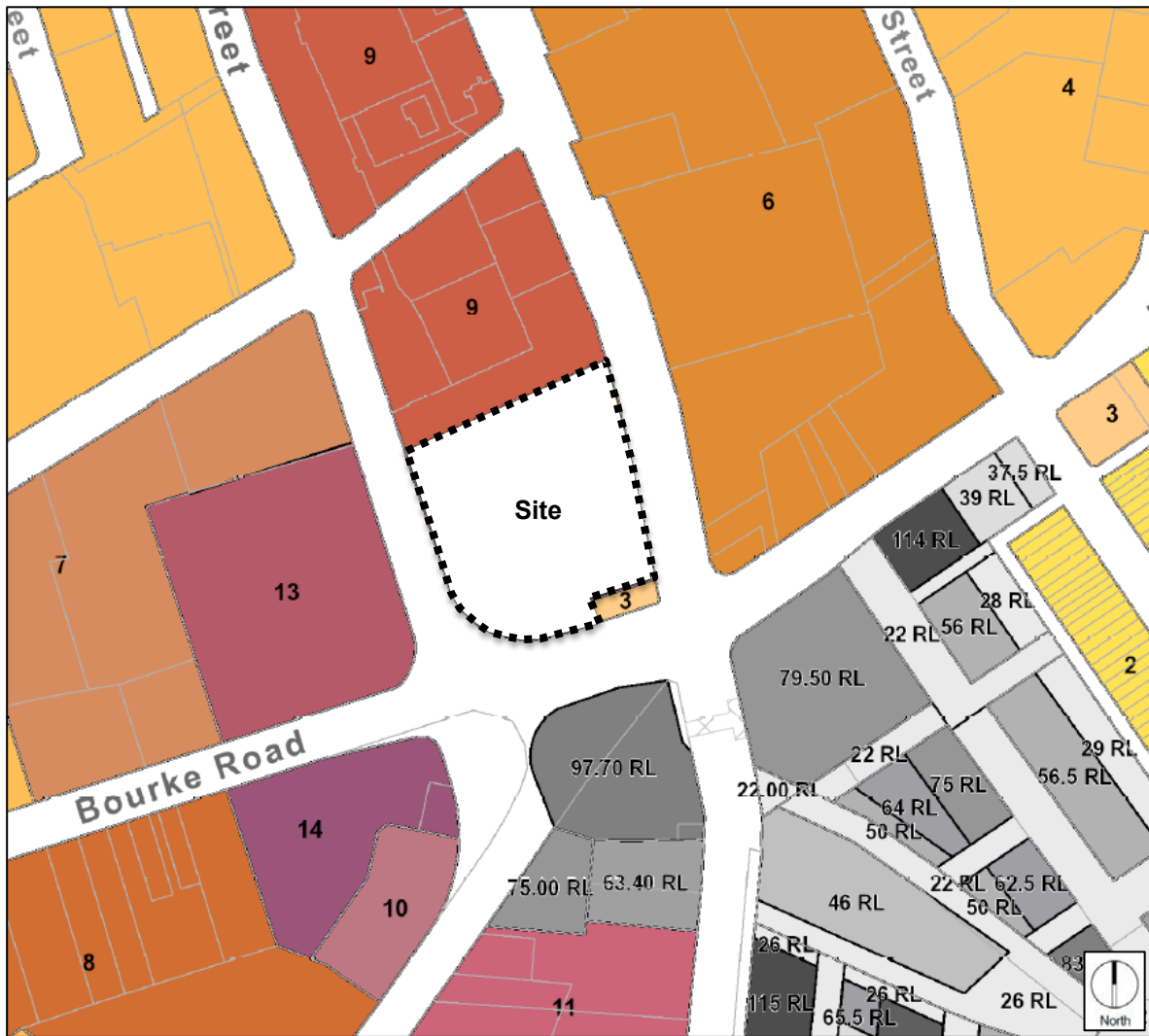


Figure 17: Permissible heights of surrounding sites

The taller tower elements fronting Wyndham Street and the western part of Bourke Road (up to RL 96.5 or 23 storeys) respond to the taller maximum permissible heights on the western side of Wyndham Street and the southern side of Bourke Road of 13 and 14 storeys respectively and the taller development in the Green Square Town Centre of up to RL 97.7 or 21 storeys. Meanwhile the relatively lower elements fronting Botany Road and the eastern part of Bourke Road (up to RL 79 or 16 storeys) respond to the lower permissible heights on the eastern side of Botany Road and the medium rise residential development to the north of the site of 6 and 9 storeys respectively. Overall the tower configuration will ensure that the development will integrate into the area and deliver an appropriate transition.

The site to the immediate south of the site on the corner of Bourke Road and Botany Road, known as 310a Botany Road, is under separate ownership. Amalgamation of this site with the subject site would allow coordinated redevelopment of the sites and potentially a better overall built form outcome. The proponent has provided Council with evidence of reasonable efforts to acquire the site to allow for amalgamation, which have been unsuccessful. As such, the site does not form part of this Planning Proposal.

This scheme is indicative only and has been prepared to demonstrate that the building heights that this Planning Proposal seeks can result in a development able to satisfy key objectives and provisions in Sydney LEP 2012, Sydney DCP 2012 and the Apartment Design Guide under SEPP 65. Any future competitive design processes and development applications may seek changes to the indicative scheme. This Planning Proposal does not seek approval for the indicative scheme. The City has developed an envelope within which the indicative scheme, or a similar scheme can be accommodated. This envelope forms the basis of the proposed amendments to the maximum height

of building control sought by this Planning Proposal. A full package of drawings illustrating both the envelope and the indicative scheme are at Attachment A.

Public domain solar access

Green Square Town Centre Development Control Plan 2012 contains provisions which seek to ensure that Green Square Plaza receives an appropriate amount of direct sunlight year round. The two key provisions are 3.1.3 (m) and 3.1.3 (n). Figure 3.2 of the DCP illustrates the consolidated areas of direct sunlight within the plaza that should be generally achieved on 21 June. Both provisions are shown below. Figure 3.2 of the DCP is at Figure 18, below.

3.1.3 (m) excluding shadows cast by community buildings in site 20, [the public open space is to] achieve direct sunlight each hour between 12 midday and 2pm on 21 June for at least 50% of a 4m wide strip along the full length of the southern edge of the Green Square plaza

3.1.3 (n) excluding shadows cast by community buildings in site 20, [the public open space is to] achieve consolidated areas of direct sunlight each hour between 12 midday and 2pm on 21 June generally consistent with the location and size indicated in Figure 3.2: Direct sunlight to Green Square plaza



Figure 18: Required areas of direct sunlight to Green Square plaza (as per GSTC DCP Figure 3.2)

These provisions effectively govern the maximum height and scale of building envelopes on the subject site given its position to the north west of the Green Square Plaza. As part of its engagement by the City, MAKO Architecture analysed the Green Square Plaza solar access provisions and plans and established a detailed understanding of the potential of built form on the site to overshadow the

Plaza. The analysis was based on the assumption that Site 1 of the Green Square Town Centre (situated above Green Square Station) will build to its maximum permissible height under the Green Square Town Centre LEP.

Figure 19 illustrates the relative location of the sun on 21 June and the maximum RL at which buildings can generally comply with provisions 3.1.3 (m) and 3.1.3 (n) of the Green Square Town Centre DCP 2012. MAKO Architecture’s analysis was used to inform further overshadowing analysis undertaken by SJB.

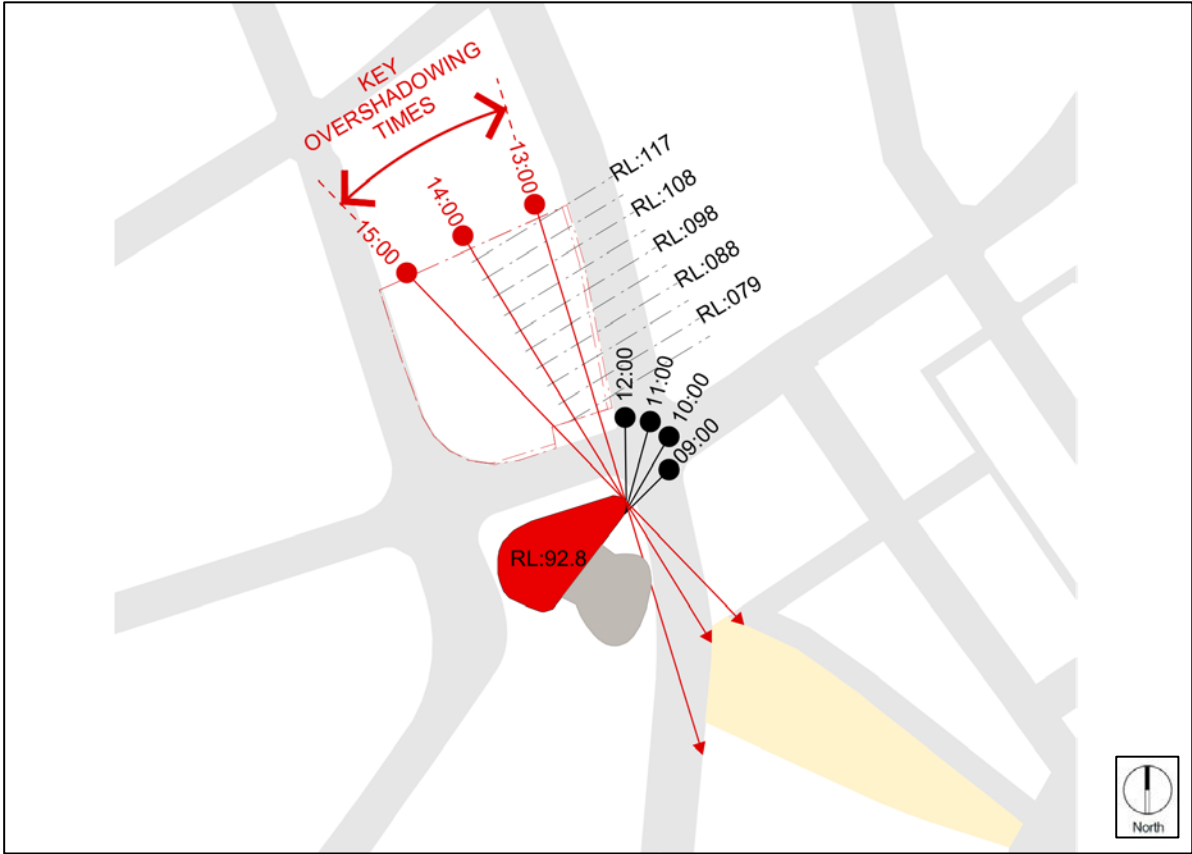


Figure 19: Key overshadowing times for the subject site. Image prepared by MAKO Architecture on behalf of City of Sydney.

SJB undertook detailed overshadowing testing to demonstrate that the maximum proposed envelope and indicative scheme generally achieve the areas of consolidated direct sunlight as required by the provisions of the Green Square Town Centre DCP. The full analysis, including overshadowing diagrams and eye of the sun diagrams is at Appendix A.

The analysis shows that at the key control times of 12pm and 1pm, the indicative scheme does not cast any shadow on the Green Square Plaza. This is illustrated in Figures 20 and 21. The DCP control area is shown in pink, the blue line indicates the shadow cast by the envelope and the yellow indicates the shadow cast by the indicative scheme. This is also shown in ‘View from the sun’ diagrams at Figures 22 and 23. These diagrams show the view from the sun; everything shown in these diagrams receives direct sunlight at the time shown.

At 2pm, there is a minor encroachment of the shadow cast by the indicative scheme onto the north-west corner of the DCP control area. This is illustrated in Figures 24 and 25. The shadow cast accounts for approximately 3% of the total DCP control area at this time. Importantly the shadow does not cover any of the Green Square Library buildings including the entry, garden and amphitheatre. The study concludes that the overall shadow cast by the indicative scheme is generally consistent with the current Green Square Town Centre DCP control and the overall impact is acceptable.

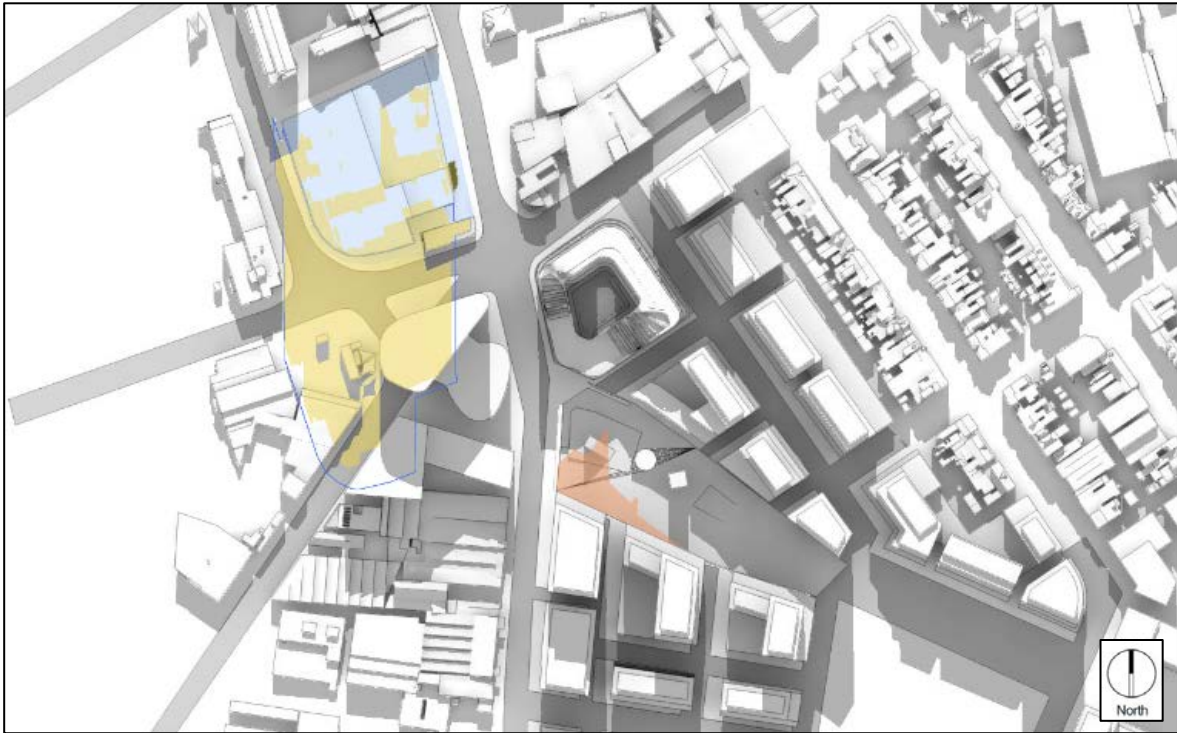


Figure 20: Shadow cast at 12pm on 21 June – no overshadowing of DCP control area



Figure 21: Shadow cast at 1pm on 21 June – no overshadowing of DCP control area

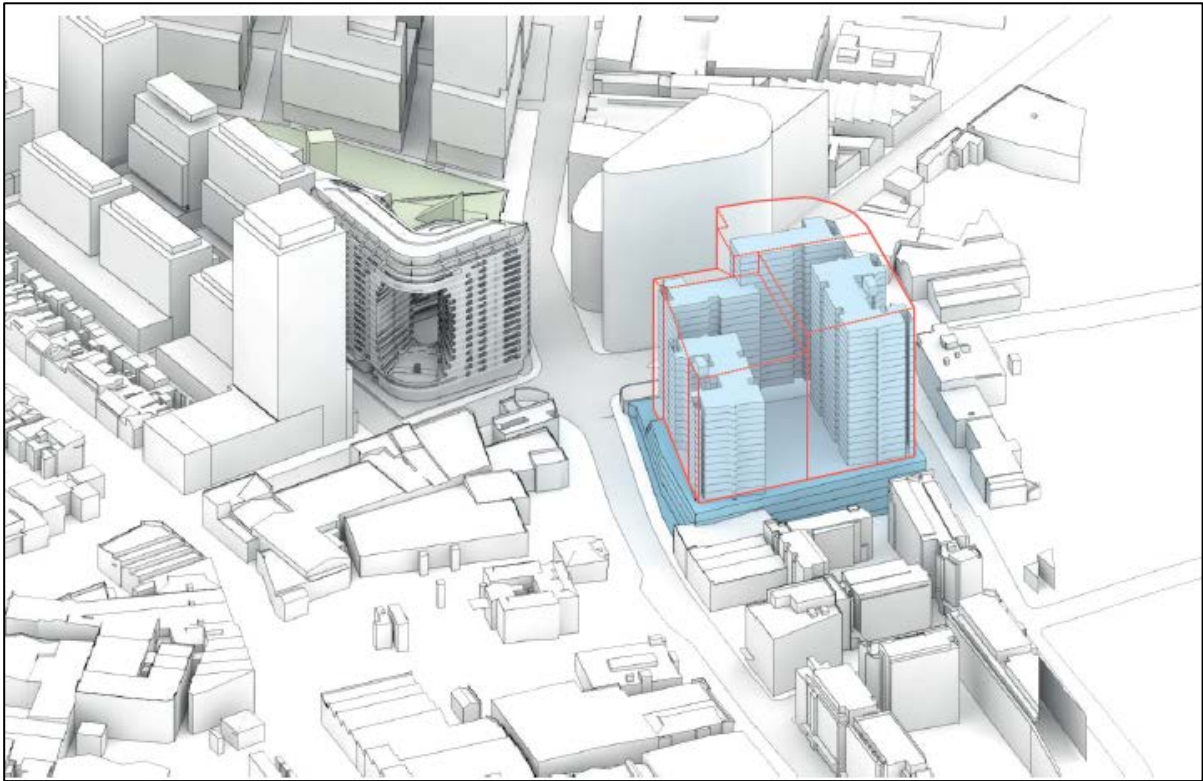


Figure 22: View from the sun at 12pm on 21 June - no overshadowing of DCP control area

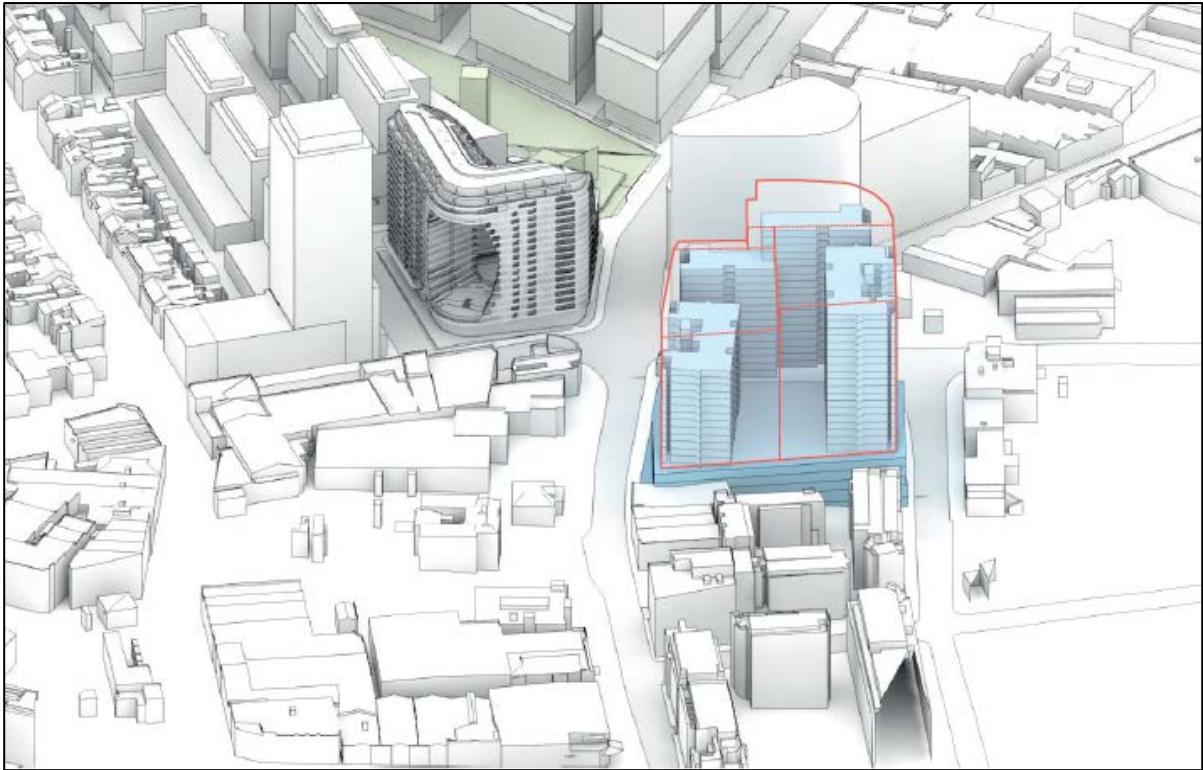


Figure 23: View from the sun at 1pm on 21 June - no overshadowing of DCP control area

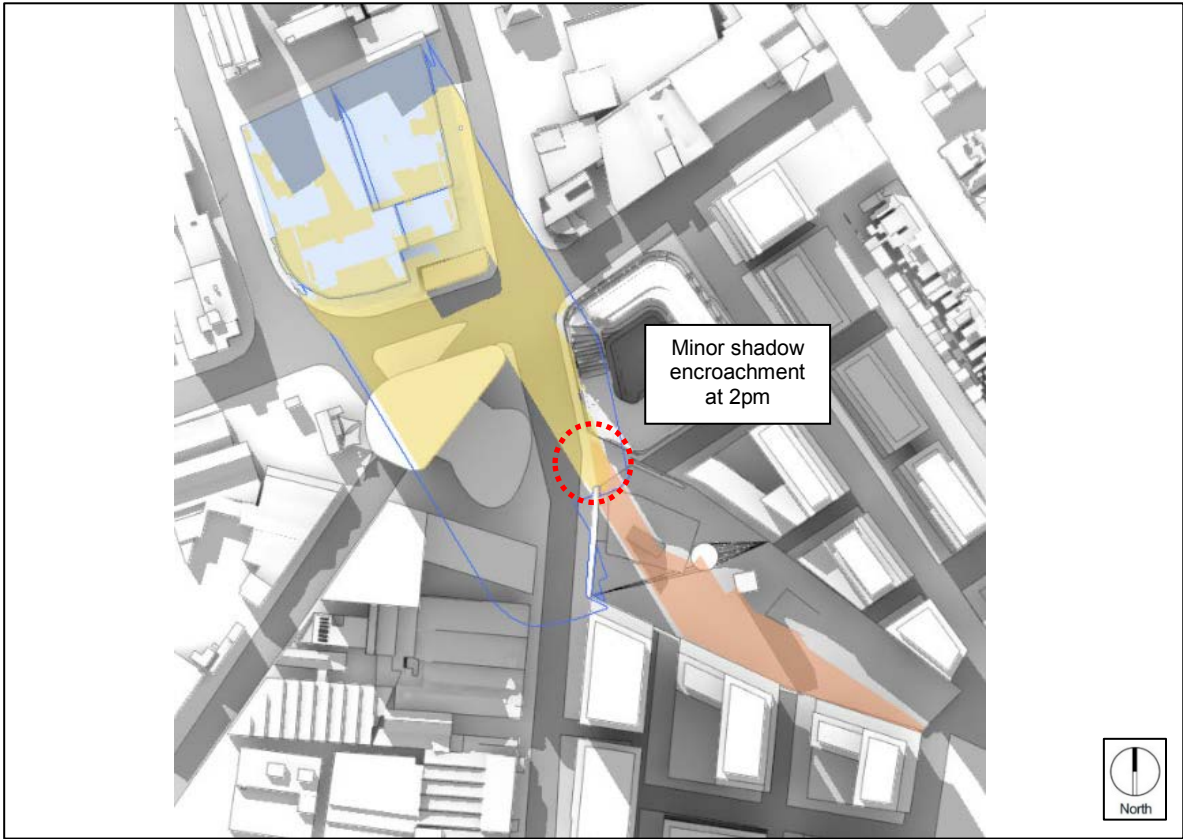


Figure 24: Shadow cast at 2pm on 21 June – Minor overshadowing of DCP control area

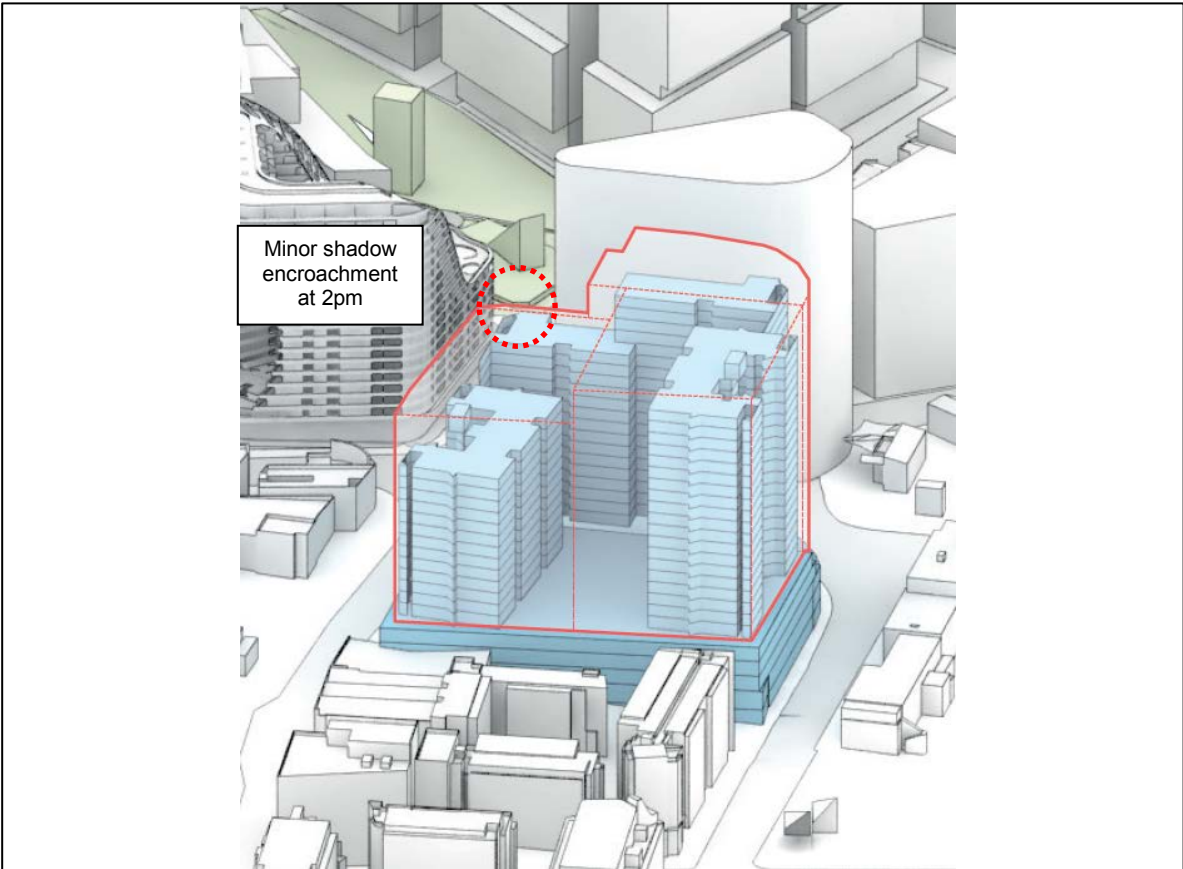


Figure 25: View from the sun at 2pm on 21 June – Minor overshadowing of DCP control area

Apartment Design Guide – Noise and natural ventilation

The objectives and provisions of the Apartment Design Guide relating to noise and natural ventilation were major design drivers of the indicative scheme and the maximum permissible building envelope.

In June 2015 the Apartment Design Guide was released. It provides design criteria and general guidance about how development proposals can achieve the nine design quality principles identified in SEPP 65. Objective 4J-1 states that “in noisy or hostile environments the impacts of external noise and pollution are minimised through the careful siting and layout of buildings”. Design guidance under this objective states that where achievement of the design criteria is not possible, alternatives in the areas of solar access, private open space and natural cross ventilation may be considered. This effectively places the consideration of noise above that of solar access, private open space and natural cross ventilation when considering the siting and layout of buildings. It does not, however, place it above the consideration of natural ventilation. This challenge was not contained in the Apartment Design Guide’s predecessor, the Residential Flat building Design Code and represents an emerging challenge. The business as usual model where noise is minimised by closing windows, thus denying access to natural ventilation and relying on mechanical ventilation, is now being challenged.

The Apartment Design Guide references the NSW Government’s Development near Rail Corridors and Busy Roads Interim Guideline as called up by State Environmental Planning Policy (Infrastructure) 2007 which provides guidance in relation to appropriate noise levels for apartments. The need for noise protection is relative to noise exposure and the appropriateness of design solutions varies according to the noise level to which an apartment is exposed. This new provision requires innovative approaches to reform what was previously common practice and collaborative work between qualified acousticians and designers to determine appropriate and effective building siting, layout and design solutions.

The City worked closely with SJB and Renzo Tonin to test solutions and approaches. This included different tower siting and orientation and the inclusion of barrier wings and enclosed balconies. Renzo Tonin’s testing, analysis and recommendations are at Appendix D. The testing demonstrates that the indicative scheme can comply with the Apartment Design Guide requirement for all habitable rooms to be naturally ventilated while also satisfying the provisions of the Infrastructure SEPP for maximum internal repeatable noise levels.

Wind assessment

The proponent engaged CPP to undertake a preliminary wind assessment of an early version of the preferred scheme. CPP also undertook analysis of the refined scheme. The original report including supplementary statements is at Appendix C.

The report finds that the site is in a relatively windy location with prevailing winds coming from the north-east, south and west. As construction in the Green Square Town Centre proceeds, it is expected that these winds will be accelerated around large neighbouring developments. It is anticipated that the preferred scheme will result in both wind downwash and wind channelling. Channelling is expected to occur along the through site link which links Botany Road with Bourke Road. Downwash is expected to occur along the upper level of the through site link and along Wyndham Street in a northerly direction.

CPP recommend a range of measures to mitigate these wind effects. To mitigate channelling along the through site link, one of the entrances should be reduced considerably in cross section. The through site link will also need to be covered to mitigate the effects of downwash. Downwash along Wyndham Street can be mitigated by a combination of setting the tower back from the podium edge and installing an awning to dissipate wind flow.

The draft amendment to Sydney DCP 2012 which supports this Planning Proposal includes detailed built form controls which provide for setbacks to the towers from the podium edge as recommended by the CPP report. The draft provisions also require an awning fronting Wyndham Street and consideration of the impact of wind and wind-driven rain on the design of the through site link as part of the assessment process.

Further, the draft DCP amendment includes a provision requiring submission of a detailed wind assessment as part of any future development application. This will provide more detail on anticipated impacts and how they may be managed.

Traffic and Transport

AECOM has reviewed the traffic and parking impacts of the indicative scheme to determine the likely impacts of a future mixed use scheme on the site. AECOM has assessed the impacts of the retail component and the residential component separately. The City is considering the assessment related to the retail component as part of its current assessment of the Section 96 modification application discussed earlier in this Planning Proposal. For the purposes of this Planning Proposal, it is noted that the report states the traffic impacts of the retail component are acceptable and manageable.

The report submitted specifically in support of this Planning Proposal finds that the residential component will result in 151 trips across the AM and PM peaks. Generally this increase will account for less than two per cent of the total existing volume on main arterial roads. The report concludes that, based on the proposed left in/left out arrangement that will be imposed on the residential car park driveway, the impact of additional trips will be negligible on the Botany Road/Bourke Road/O'Riordan Street intersection. The study concludes that the impact on local intersections will also be negligible as vehicles will disperse across a number of different routes after exiting the development. In conclusion, AECOM's analysis finds that the additional vehicle traffic generated by both the retail, childcare and residential uses will be absorbed into the local road network with negligible impacts. It should be noted that this Planning Proposal does not give rise to development of a density in excess of that already permitted by Sydney LEP 2012 and as such will not result in a residential population greater than that already anticipated for the area. Notwithstanding this, a Traffic Impact Assessment will be required at the development application stage and this will provide a detailed assessment of the anticipated impact to the local road network.

AECOM also assessed the vehicle access arrangements for their suitability. The retail and residential car parks are to be separated with the retail car park accessed from Wyndham Street and the residential car park accessed from Botany Road. The study proposes a left in/left out arrangement for the Botany Road entrance and the construction of a median to enforce the movement. Consultation with Roads and Maritime Services on the location, design and arrangement of the car park entrances will be undertaken as part of public exhibition of this Planning Proposal.

In terms of public transport, the site is well serviced by existing infrastructure and services being immediately adjacent to the Green Square Train Station which has direct services to Central Sydney and Sydney Airport. It is also well serviced by a number of bus routes which travel to a variety of destinations.

More broadly, since early 2000 long term planning for the Green Square Urban Renewal Area (including this site) has included a number of transport studies and management plans which examine road capacity, traffic management and transport infrastructure required to support the redevelopment of Green Square. These studies have identified that measures to improve transport must be implemented as development occurs. Some key actions which the City is pursuing include:

- Continuing advocacy by the City for improved public transport in Green Square
- Working the NSW Government and landowners to secure land to allow delivery of the future Eastern Transit Corridor which will connect the Green Square Town Centre with Central.
- Planning and designing to allow for increased and improved pedestrian and cycle connections to encourage sustainable travel behaviour and achieve better integration between transport modes
- Continuing work between the City and Transport for NSW to develop measures to improve transport in the area including improving reliability and capacity of public transport services.

Heritage

The Green Square School at 237-271 Botany Road is situated to the north east of the site on the opposite side of Botany Road. It is listed in Sydney LEP 2012 as an environmental heritage item. The listing includes the buildings, building interiors, landscaping and the retaining wall. It is the only environmental heritage item within close proximity of the site.

Given the distance between the site and the heritage item, approximately 60 metres, and the presence of Botany Road between the two which serves as a significant barrier, the potential for development on the site to adversely impact the heritage item is relatively low. Additionally, the school buildings themselves are well setback within the site and separated by a row of mature trees. Notwithstanding this, the view analysis undertaken by SJB examines the views to and from the heritage item and illustrates that the impact of increased building heights on the setting of the heritage item is minor and acceptable. This view analysis forms part of the Urban Design Study at Appendix A. Furthermore, being situated to the north east of the site, the heritage item will not be overshadowed by development on the site.

Contamination

As with all brownfield urban renewal, contaminated land is a potential environmental issue. The site is currently occupied by industrial and commercial uses which may have an associated risk of contamination. However, given that residential development is already permissible on the site under the B4 Mixed Uses zoning this planning proposal does not give rise to additional implications in this regard.

As discussed earlier in this Planning Proposal, the site has consent for retail and commercial uses under a current Development Approval. In assessing this application, input was sought from the City's Health Compliance Unit who concluded that the site is suitable for the proposed retail uses and is able to satisfy the requirements of SEPP 55. Notwithstanding this, detailed information relating to contamination will be required at any future development application stage and will be required to address future land uses, including residential uses. Remediation of land may be required through a future development approval if deemed necessary.

Flooding

The site is moderately flood affected. The City's data suggests that the Peak Maximum Flood levels affecting the site range from 0.2 metres on the Botany Road frontage up to 1.45 metres on the corner of Wyndham Street and Bourke Road.

The City's Interim Floodplain Management Policy, adopted by Council in May 2014, provides flood planning levels for different types of development which must be used when assessing a Development Application. The finished levels and design of the podium has and will be assessed against these levels. This is a separate process to this Planning Proposal. Notwithstanding this, the proposed height controls under this Planning Proposal provide sufficient flexibility to accommodate any raising of the podium to meet higher flood planning levels than anticipated.

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

While this Planning Proposal will facilitate redevelopment of the site, it does not propose an increase in density above that which is currently permissible under Sydney LEP 2012. As such, it will not result in an increase in residential or worker population greater than that already anticipated, and is not expected to result in any significant negative social or economic effects. Ongoing investment in new services and facilities in Green Square by both the public and private sectors will service the new population as development occurs, and the City's Green Square Community Infrastructure Floorspace Scheme under Sydney LEP 2012, as explained earlier in this Planning Proposal, will deliver critical community infrastructure to support the growing population. Furthermore, this Planning Proposal will deliver some important social benefits, as follows.

Childcare Centre

Adequate supply of high quality child care is a critical issue for the City. Current and forecast resident and worked population growth in the City, particularly in Green Square, has resulted in increasing demand for child care places, and a growing gap between demand and supply,

According to the *City of Sydney Child Care Needs Analysis, 2013*, the City saw an increase in the number of 0-5 year old resident children from 6,040 in 2006 to 7,348 in 2011. This population is forecast to grow to 12,946 by 2031. The study identifies a gap of 3,104 places within the local

government area and a range of strategies that could be used to meet this gap. These strategies include direct provision; facilitating delivery of new centres by the private and not-for-profit sectors through strategic and statutory planning mechanisms; and advocacy with other levels of government.

The subject site falls within the Green Square and City South Village Group in the analysis. The gap between supply and demand in childcare provision in this village group is currently around 350 places. The gap is projected to grow to 1440 places by 2031. This Planning Proposal provides an opportunity to narrow the gap between the existing supply and the City's needs in the Green Square and City South Village Group by delivering a childcare centre of approximately 2,000 sqm that could accommodate approximately 100 children depending upon final configuration and design. Allowance for this childcare centre will be included in the draft DCP amendment to provide certainty.

Retail podium

Development approval was granted on 20 November 2013 for a 3 and 4 storey podium including a full line supermarket and several specialty retail tenancies. This consent is valid until 20 November 2018. The City is currently assessing a Section 96 modification to this consent to reconfigure the podium and reduce the overall retail floorspace. The proposal being assessed includes approximately 6,528 sqm of retail floorspace including a full line supermarket.

The delivery of new retail tenancies and a childcare centre will activate the public domain through the replacement of existing blank walls with active frontages resulting in increased pedestrian activity and passive surveillance. New and refreshed business activity on the site will create employment opportunities and flow on economic benefits to the local area and the City more broadly.

The City is currently finalising a study that examines the current supply of retail in Green Square and estimates the future demand. Preliminary findings are that over the next 15 years there will be significant demand for retail in Green Square, particularly in and around the Green Square Town Centre. This Planning Proposal will assist in meeting some of this demand and represents a positive social and economic outcome.

Section D – State and Commonwealth interests

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

The site is well serviced by public transport infrastructure being immediately adjacent to the Green Square Railway Station which has direct services to Central Sydney and Sydney Airport and several bus routes which travel to a variety of destinations. The traffic impact assessment prepared by AECOM, at Appendix B, provides a high level assessment of the site access and parking arrangements and the impact of the proposed development on the local street network. It should be noted that this Planning Proposal does not include any increase in density over and above what is permitted by the current controls.

New public social infrastructure will be provided within walking and cycling distance of the site including the new Green Square Town Centre Library and plaza, community facilities including a childcare centre at the former South Sydney Hospital Site and a new Aquatic Centre and public park in the Epsom Park Precinct to the east.

The full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available on the site. It is expected that these services would be upgraded by the developer, where required, to support the proposed development. Consultation with relevant authorities during public exhibition of the Planning Proposal will confirm the capacity of current utilities to service the site.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway Determination will advise the full list of public authorities to be consulted as part of the Planning Proposal process and any views expressed will be included in this Planning Proposal following consultation.

Clause 7.16 of Sydney LEP 2012 sets out requirements for consultation with the relevant Commonwealth body where proposed development penetrates the Limitation or Operations Surface for Sydney Airport. The Sydney Airport Obstacle Limitation Surface for the site is 51m AHD. This Planning Proposal seeks to allow development up to approximately RL96.5 on the site. As such, consultation with the relevant Commonwealth body will be required under Clause 7.16 as part of the development assessment process. It is proposed that Sydney Airport will be consulted during the public exhibition of this Planning Proposal.

Notwithstanding the above, the proponent commissioned Strategic Airspace to undertake a preliminary aeronautical impact assessment to support this Planning Proposal. This assessment is at Appendix E. The assessment found that the proposal would penetrate the OLS Inner Horizontal Surface but that there was precedents for approved penetrations of a similar extent in the adjacent Green Square Town Centre. The assessment also found that the proposal would not penetrate the lowest PANS-OPS surface. The assessment concluded that there is no technical impediment to the approval of the development. Consultation with and referral to Sydney Airport will also be required at the development assessment stage.

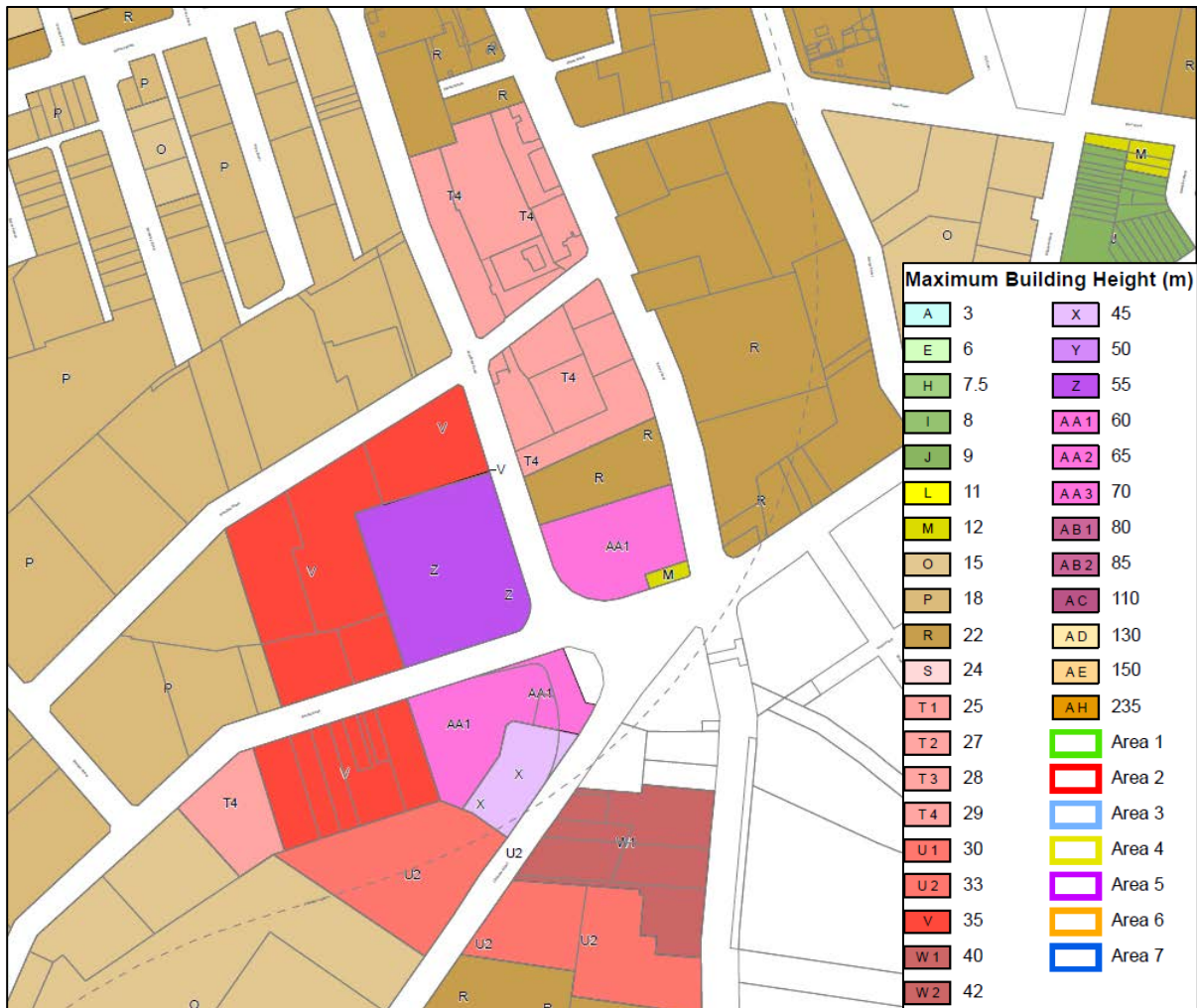
PART 4 - MAPPING

This Planning Proposal seeks to amend the height in metres map contained in *Sydney Local Environmental Plan 2012* as they apply to the subject site in accordance with map extracts on the following pages.

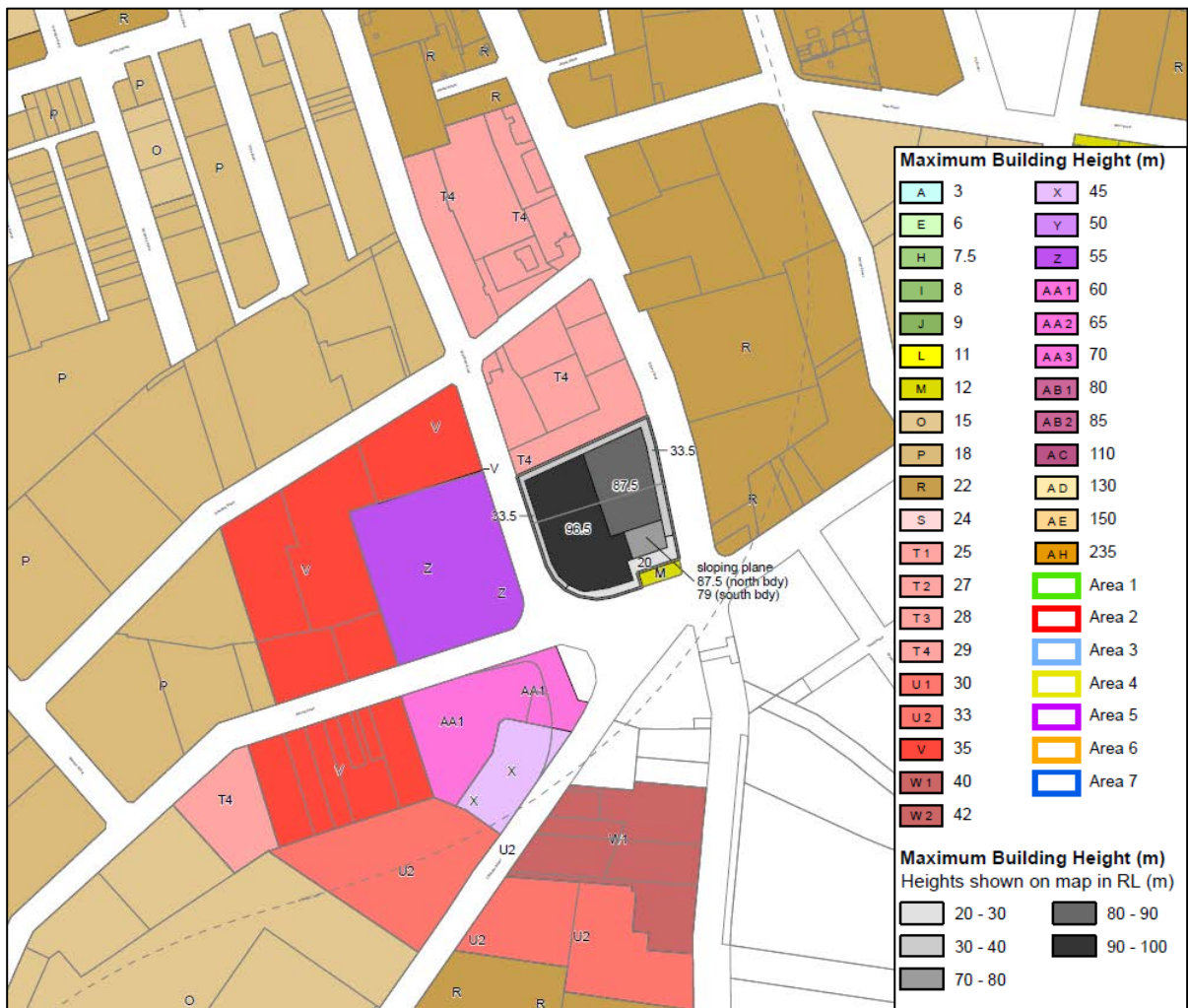
NB. The site is split between map sheet 17 and 18. For clarity, the below maps have been produced to show the site as a whole and do not reflect the exact boundaries of sheets 17 and 18.

Height Map: Sheet HOB_017 and Sheet HOB_018 (combined)

Existing map:



Proposed map:



PART 5 – COMMUNITY CONSULTATION

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, 456 Kent Street, Sydney
- Green Square, 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 *Sydney Local Environmental Plan 2012* will be completed by July 2017.

| Stage | Timeframe |
|--|--------------------------------|
| Submit Planning Proposal to Department of Planning and Environment seeking a Gateway Determination | August 2016 |
| Receive Gateway Determination | October 2016 |
| Public exhibition and public authority consultation of Planning Proposal and DCP Amendment | November 2016 to December 2016 |
| Review of submissions received during public exhibition and public authority consultation | January 2017 to March 2017 |
| Council and Central Sydney Planning Committee approval of Planning Proposal and DCP Amendment | April 2017 |
| Drafting of instrument and finalisation of mapping | May 2017 to June 2017 |
| Amendment to <i>Sydney Local Environmental Plan 2012</i> legally drafted and made | July 2017 |

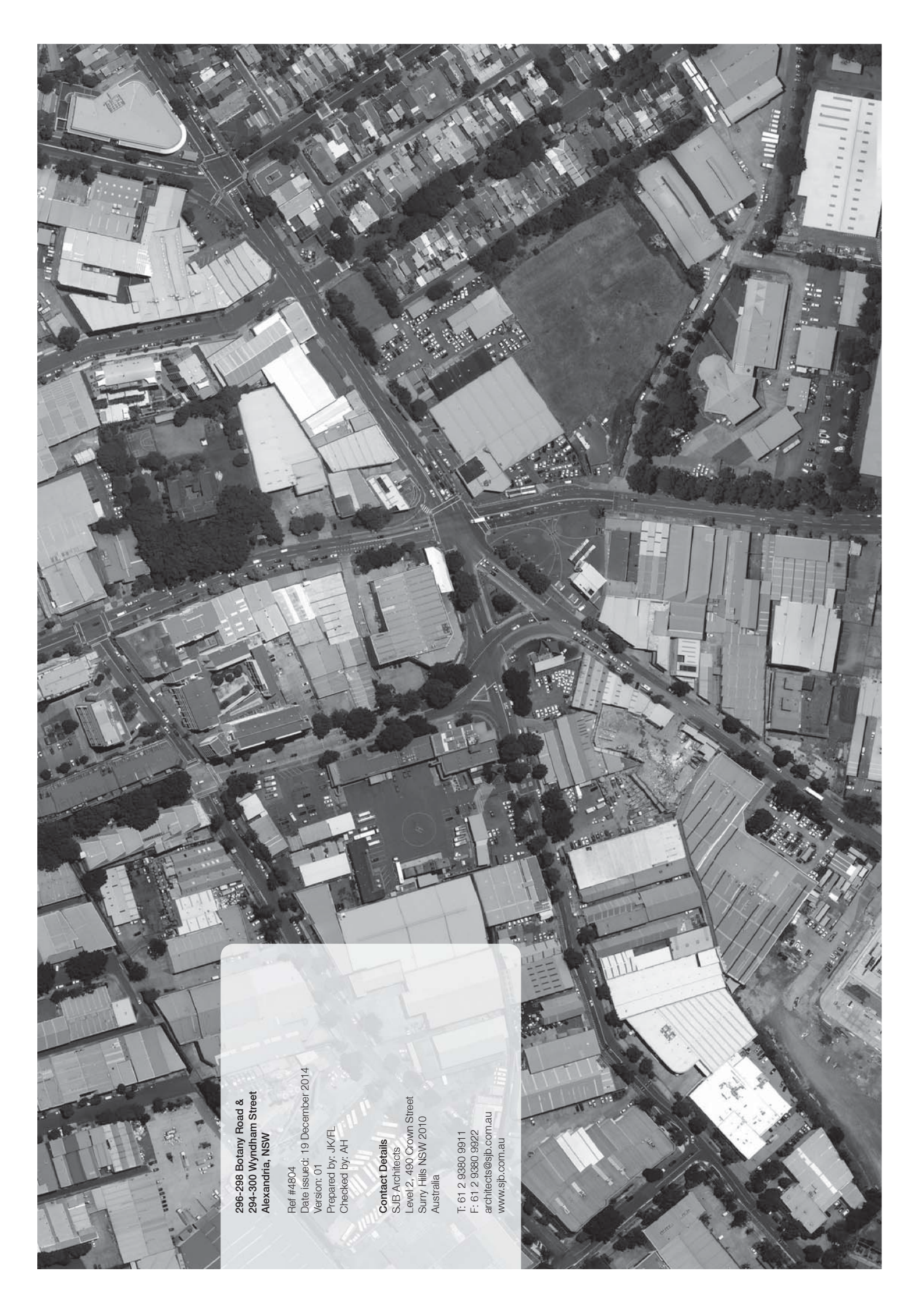
APPENDIX A: URBAN DESIGN STUDY PREPARED BY SJB

SJB Architects



Urban Design Study

Planning Proposal for:
296-298 Botany Road
294-300 Wyndham Street
Alexandria, NSW, 2015



296-298 Botany Road &
294-300 Wyndham Street
Alexandria, NSW

Ref #4804
Date issued: 19 December 2014
Version: 01
Prepared by: JK/FL
Checked by: AH

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Executive Summary

This report outlines the urban design concept for the mixed-use redevelopment of 296-298 Botany Road & 284-300 Wyncham Street, Alexandria, which includes the preferred siting, orientation, form and height of residential towers on a podium above a multi-level retail development, and associated parking and service area. This work supersedes the approved retail scheme for the site, also prepared by SJB Architects.

Site and context analysis has been prepared as part of this study to provide a greater understanding of what scale, form and extent of development can be achieved on the site, taking into consideration the site's contribution to the wider urban context, which includes the Green Square precinct.

A number of design parameters have been identified that relate to the construction and operation of the mixed-use scheme, including consideration of the existing and future urban context, and the public benefits proposed across the site. These parameters have been reflected in the evolution of the design concept and include the location of cores, podium open space, orientation and height of buildings, parking access and interface with neighbouring streets and properties.

As part of the design process a number of design options have been prepared that test the current planning controls for the site, including the Floor Space Ratio (FSR) and Heights. A number of alternative arrangements of building mass and height have been presented to test an appropriate approach to defining FSR and heights for the combined site area.

Preliminary residential layouts have been prepared to inform the design process and analysis of the options. These layouts are based on current best practice approaches to multi-unit residential, and satisfy SEPP65 design standards and the City of Sydney's current planning policies for residential design. A preferred approach to the allocation of FSR and Height controls has been presented and supported by preliminary analysis of views and overshadowing, which take into account any potential impact on the Green Square Town Centre.

This report should be read in conjunction with the accompanying planning report by JBA Planning.

The Site

The Site

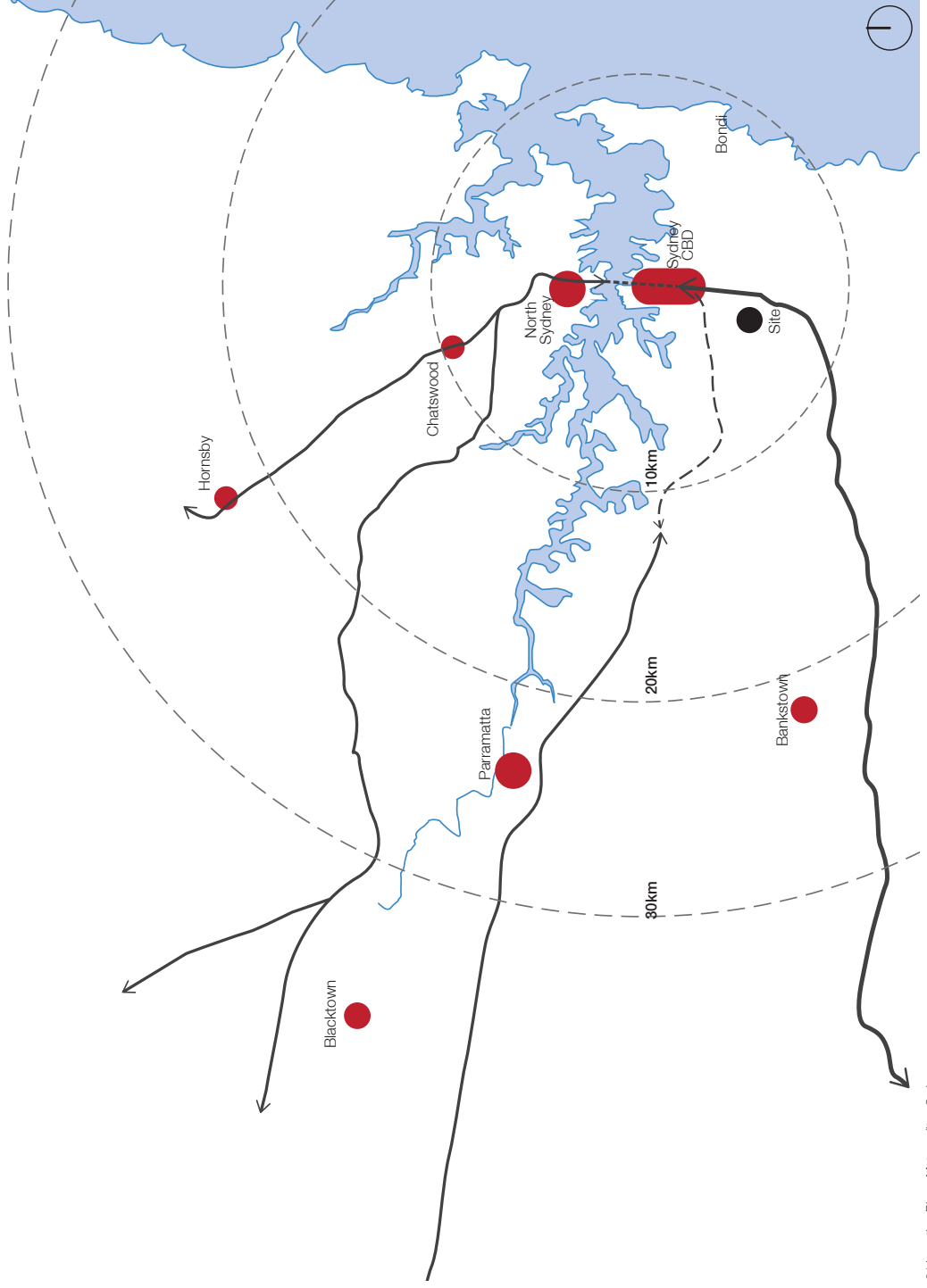
Location

At a metropolitan scale the site is located within close proximity to the Sydney CBD (5km to the north) and Kingsford-Smith International and Domestic Airport Terminals (3km to the south-west). The internationally famous beaches of Bondi and Coogee are located 8km and 7km to the east respectively.

A range of important regional and nationally significant institutions and entertainment precincts are situated within a short distance from the site, including the University of New South Wales, Moore Park, Prince of Wales Hospital and Randwick Race Course 3km to the south-east, Sydney Uni and University of Technology Sydney 2-3km to the north.

The site is positioned immediately to the north of Green Square Train Station, which provides regular services to Sydney City line and stations (Central, Town Hall, Wynyard, etc.) to the north and airport terminals to the south. Major arterial roads are located to the north and east, including the M5 and Parramatta Road.

Located within the City of Sydney local government area, the site was previously part of the City of South Sydney Council, prior to the amalgamation in 2003-04.



01 Location Plan - Metropolitan Sydney

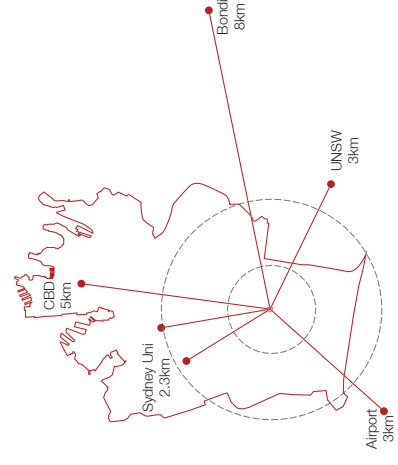
The Site

City of Sydney

Located within the City of Sydney local government area (LGA), the site was previously part of the City of South Sydney Council, prior to the amalgamation in 2003-04.

The LGA extends north to the harbour foreshore, which is lined by the suburbs of Pyrmont, Woolloomooloo and the Sydney CBD. The western edge of the LGA is defined by Glebe, Sydney University and Everleigh and Sydney Park, while the eastern edge is defined by South Dowling Street and Moore Park. Gardeners Road forms the southern boundary of the LGA.

The site is located at the threshold between the industrial uses that define the area to the south and the residential neighbourhoods to the north.



01 Location Plan - City of Sydney

SJB Architects



02 City of Sydney Aerial

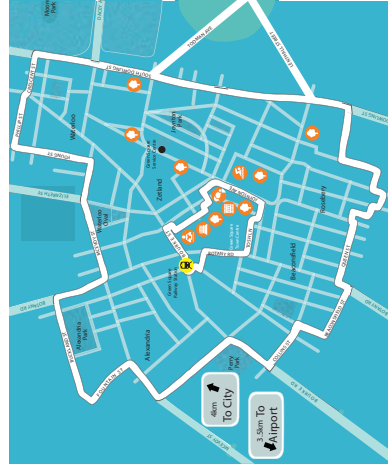
The Site

Green Square

The area referred to as 'Green Square' is one of the largest regeneration areas in the southern hemisphere covering 278 hectares from South Dowling Street and Moore Park to the east, to Alexandria industrial estates in the east, residential neighbourhoods of Redfern in the north and Beaconsfield to the south.

The area is undergoing substantial growth with 5,700 new dwellings being developed since 2000 and the projection for this growth to continue up to 2030 when the area will be home to 40,000 residents and 22,000 workers.

Victoria Park and Moore Park are two of the major residential development zones, however, the centrepiece of Green Square is the new town centre, where the study site is located.



01 City of Sydney, Green Square Map



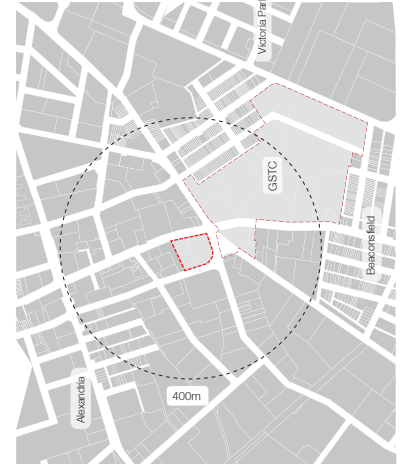
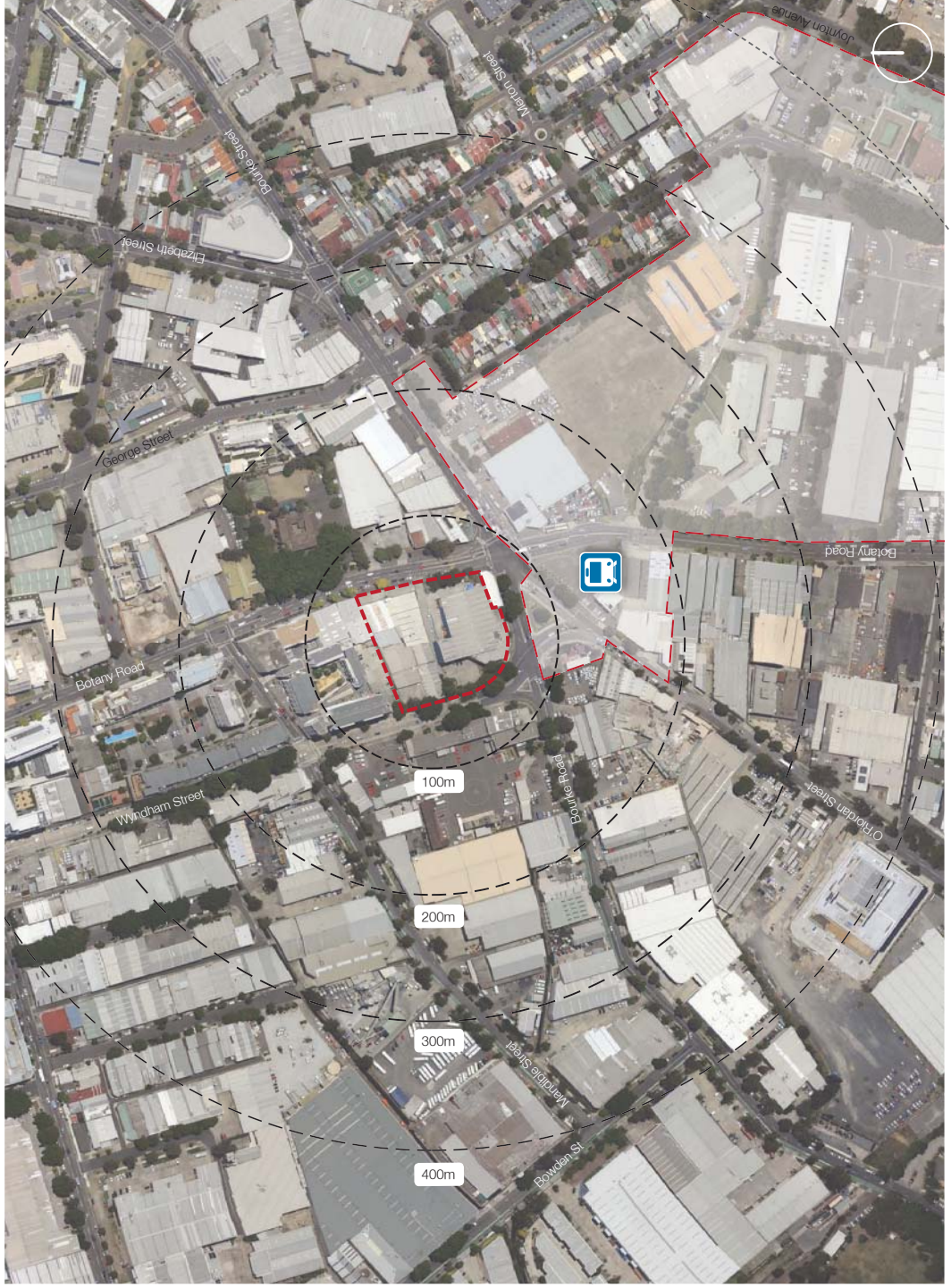
02 Green Square Context Plan

The Site

Green Square Town Centre

The site is located within a 400m catchment on the northern edge of the planned Green Square Town Centre. It is also immediately adjacent to the Green Square train station, which is indicated on the location plan.

The Green Square Town Centre will be a commercial, retail and cultural hub for the Green Square area. When the Town Centre is complete, it will have the potential to accommodate approximately 6,800 residents and 8,600 workers.



01 Key diagram

02 Location Plan - Green Square

The Site

The Site

The site occupies a high-profile and visible corner at a prominent junction within the South Sydney movement network. Traffic moving between the airport and industrial estates to the south, and the residential and commercial areas to the north pass through this intersection.

Another major transport feature of the site is the Green Square train station, which is accessed from stairs and a lift towards the south. A secondary station entrance is located on the eastern frontage of Botany Road, which connects underground to the station gates.

The site is an amalgamation of three commercial properties, with frontages to three major arterial roads that connect the Sydney CBD and Eastern Suburbs to Mascot, Airport Precinct and surrounding industrial estates.

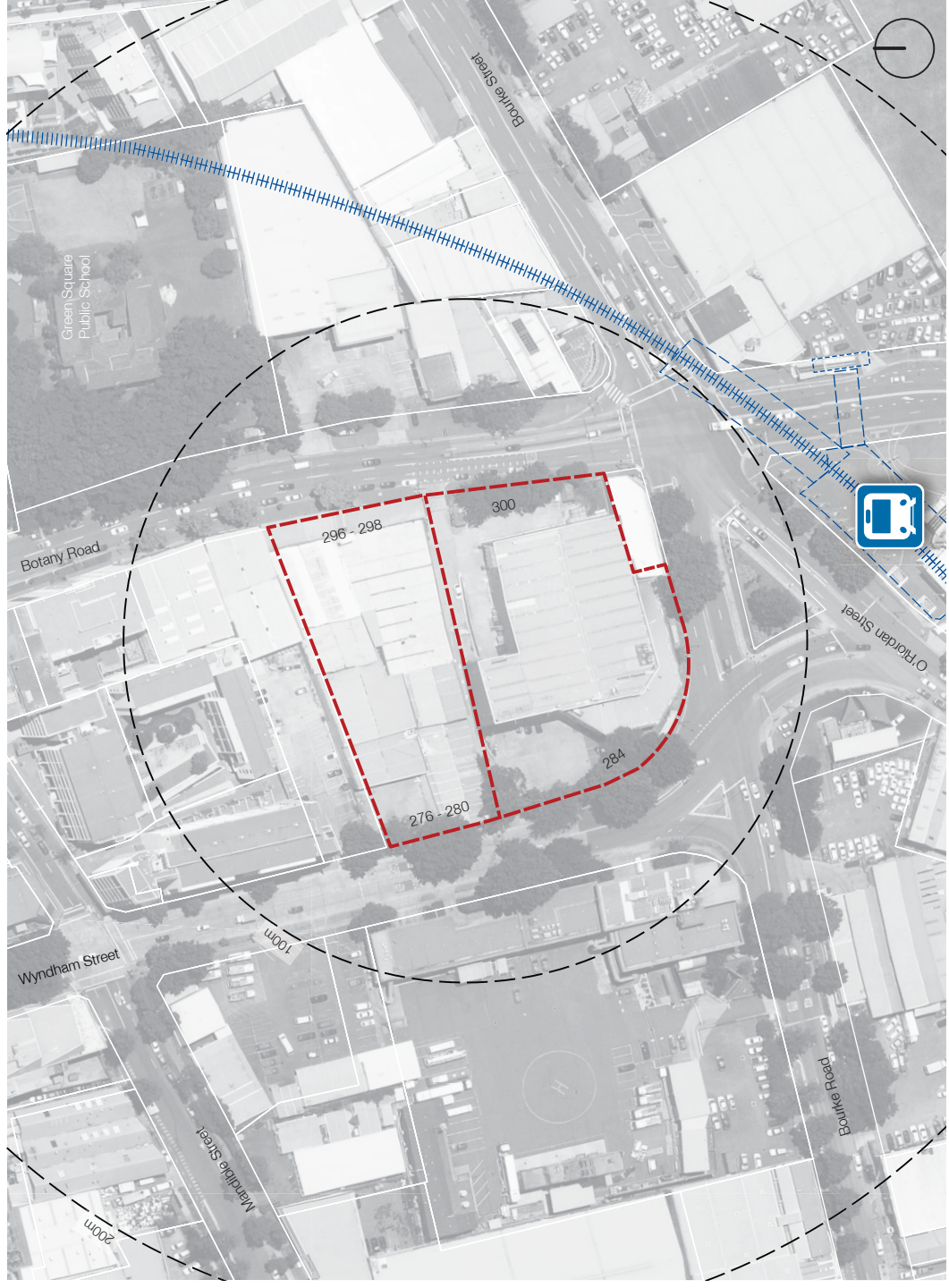
296-298 Botany Road: low-grade retail space and warehouse with an active ground floor retail frontage and first floor office space. The property is currently occupied by factory outlet retailers

300 Botany Road: large format discount retail premises with dual entrances from Botany Road and Wyndham Street, on-site car parking and servicing at the lower level, accessed off Wyndham Street

284 Wyndham Street: located at the corner of Bourke Road and Wyndham Street, the commercial showroom occupies a prime location opposite Green Square Station. The property is currently occupied by Cocco Design.

276-280 Wyndham Street: the warehouse and commercial property is attached to the rear of 296-298 Botany Road and is accessed from Wyndham Street. On-site parking and servicing is taken at grade. The property is currently occupied by HPM (electricians)

The site doesn't include 310A Botany Road, which is the small retail outlet occupied by Ron Bennett Menswear. The buildings around the site are typical of the area and include large warehouses for manufacturing, storage and light industrial uses. The area to the south of the site is being prepared for the development of the GSTC.



01 Location Plan - Immediate Context

The Site

The Site

Topography

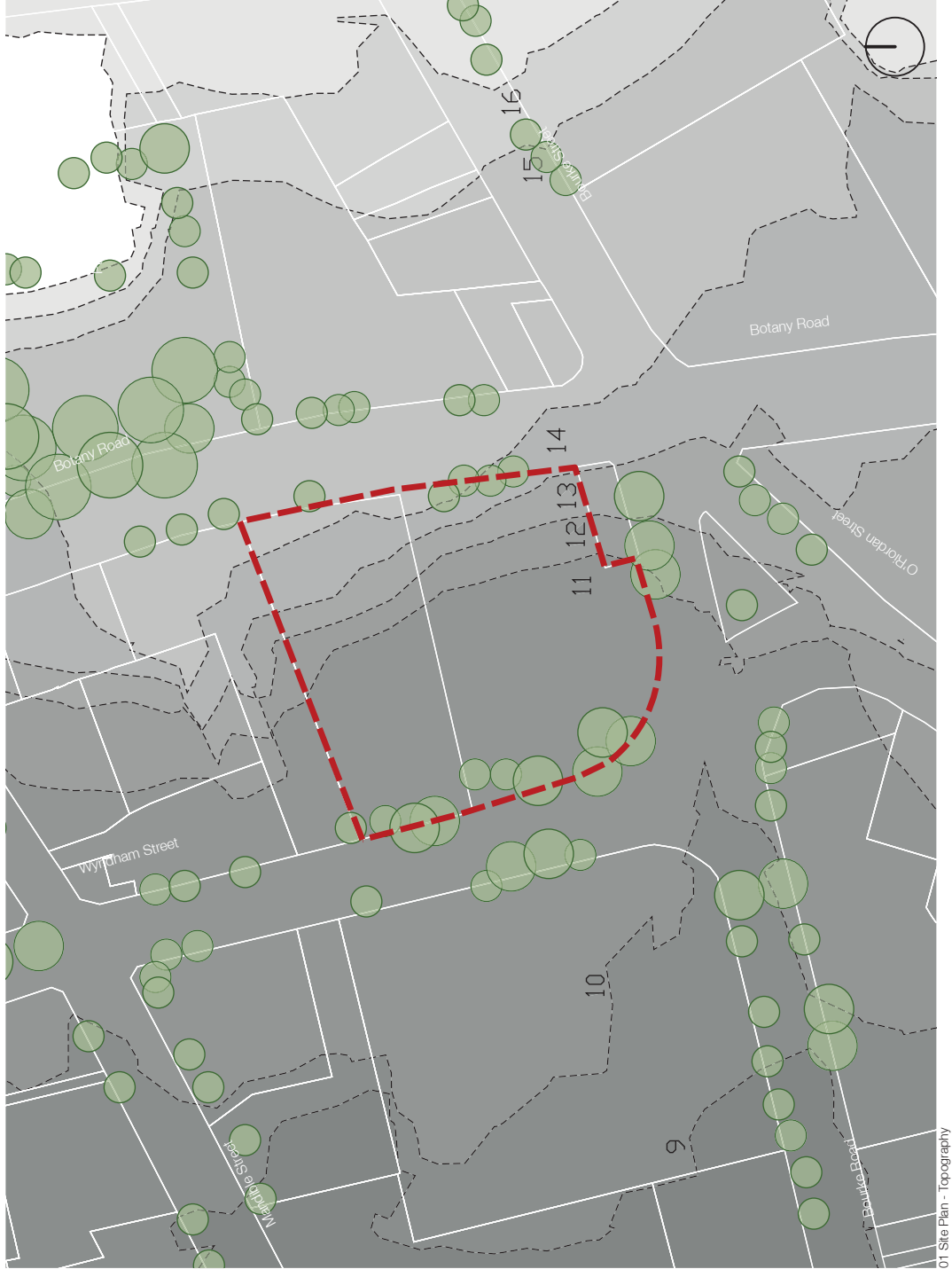
Site levels fall by approximately 4m across the site, from east to west, between Botany Road and Wyndham Street. This change in levels is most evident when looking eastwards from Wyndham Street towards the rear of the Botany Road properties. Lengths of stairs, sloping car parks and access ramps currently manage this topographical condition.

A more subtle change in level also occurs along the Botany road frontage, falling approximately 1m from south to north along the eastern frontage of the property. The impact of this is clearly visible at the Botany Road frontage of no. 250, located to the north of Mandible Street, where stairs are required to connect the public and private domain.

Vegetation

The location and coverage of mature trees provides an important contribution to the character and quality of the local streetscape. In an area dominated by high volumes of fast moving traffic, the number and maturity of Plane Trees along the street frontages is extremely valuable.

The trees provide a number of important benefits, including dampening the noise from passing traffic, shading and protecting the pedestrian footpaths, screening views towards the upper floors of buildings fronting Botany Road and Wyndham Street, and management of the micro-climates by processing carbon dioxide and allowing sunlight penetration during the winter months by shedding their leaves. Most importantly, the lush, green and voluminous foliage of the trees provides relief from the hard built structures that line the streets of Green Square.



01 Site Plan - Topography

The Site

Streets - Botany Road

The site's eastern frontage is defined by Botany Road, a major arterial road that connects Redfern and Alexandria in the north to Mascot and the Airport precinct in the south. The two lane, two-way carriageway is heavily trafficked and is often congested in the morning and evening peak periods.

A range of building forms and typologies are typically built to the street edge leaving only a narrow pedestrian zone that can accommodate limited street-planting.



View 01: south along Botany Road



View 02: north along Botany Road



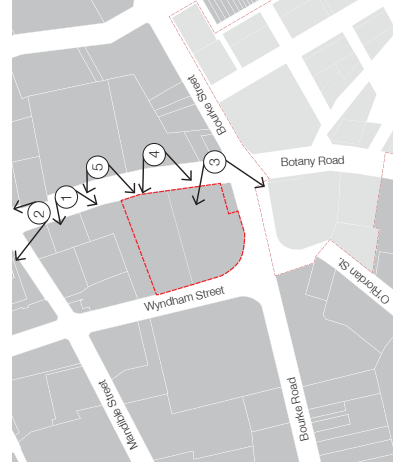
View 03: corner of Botany Road & Bourke Street/Road



View 04: 296-298 Botany Road



View 05: 276-288 Botany Road



Key diagram

The Site

Streets - Wyndham Street

The western edge of the site is defined by Wyndham Street, which feature two lanes of one-way traffic that flows from Bourke Road in the south to Alexandria Park and Redfern in the north.

Wyndham Street poses a different character to Botany Road due to the width of the carriageway, mature plane trees along both frontages, and variation in building forms, typologies and setbacks. Due to the lower volumes and direction of traffic, Wyndham Street features a greater number of driveways and access points to properties compared to the Botany Road frontage.



View 01: Wyndham Street looking north



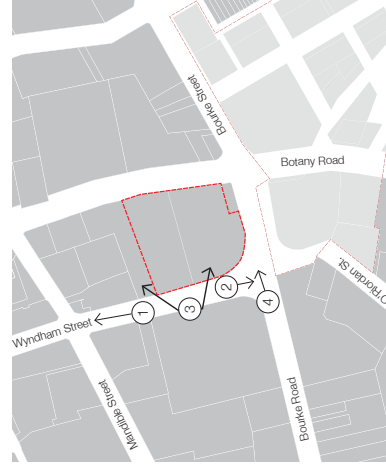
View 02: Wyndham Street - looking towards Bourke Road



View 03: Wyndham Street elevation of site



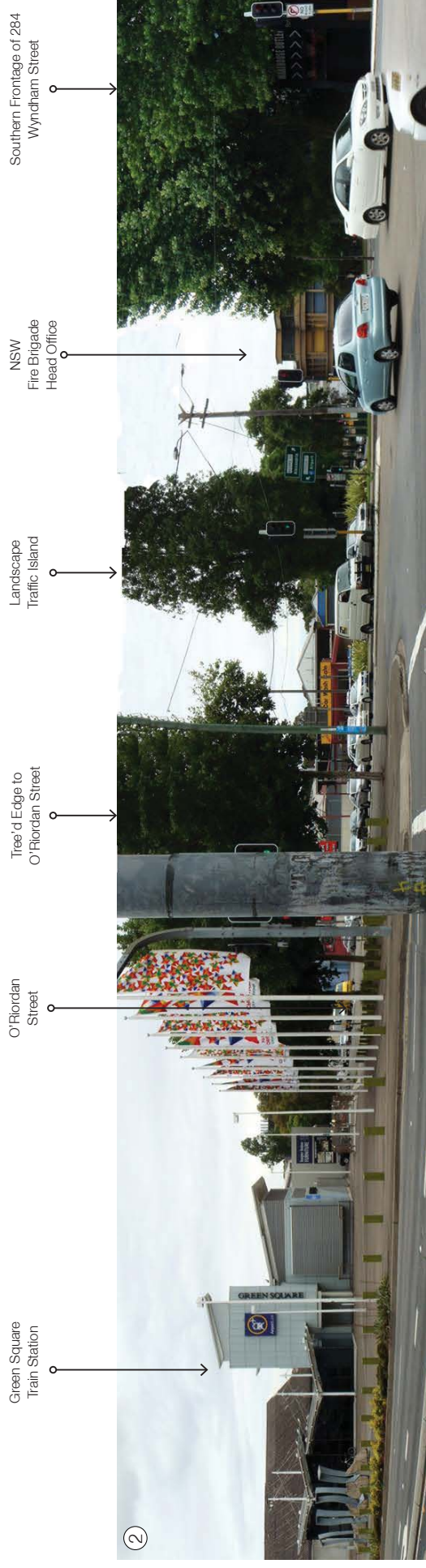
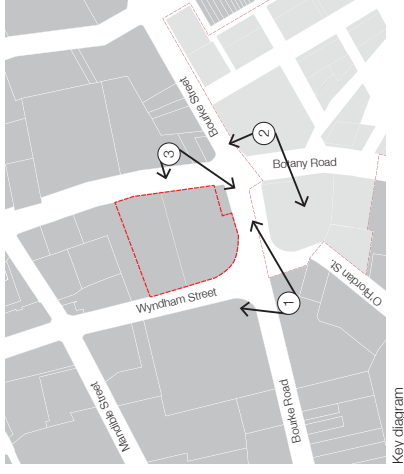
View 04: Crn Wyndham St and Bourke Rd



Key diagram

The Site

Streets - The Intersection



The Site

Streets - The Intersection



The Site

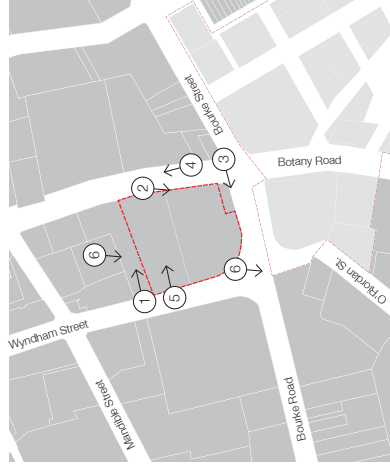
Edge Conditions

Botany Road to Bourke Road

The site has both high visual exposure and street frontage to Wyndham Road, Bourke Road and Botany Road; ultimately creating a space of dynamic interaction between that of residents, pedestrians, and traffic alike. The copious amount of mature vegetation positioned around the perimeter of the vicinity visually ties the site; and provides proficient shading for the lower levels of the existing light industrial building.

Corner of Wyndham Street and Bourke Road

The flow of traffic is mainly medium to heavy on the roads encompassing the site; as it is positioned at an intersection mainly used to direct traffic to the city, airport, western suburbs and the neighbouring industrial surrounds. The site slopes downwards in a southerly direction on the eastern boundary, and the existing vegetation helps to counteract the surrounding industrialised locality.



Key diagram

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01 Residential access from Wyndham Street



02 Retail frontage along Botany Road



03 Footpath along Bourke Road



04 Stationary traffic along Botany Road



05 Surface car park off Wyndham Street



06 Access to Botany Road

The Site

Neighbouring Properties

Street art is incorporated within the design of neighbouring internal courtyard facades, however this approach is undeniably ineffective due to it's high unaesthetic appeal.

Existing residential sites located within the Green Square precinct evidently feature a monotonous colour scheme and bland material choice; inevitably reflecting upon the seemingly dismal public spaces provided. Access to these buildings are encouraged from the street front, so the circulation within such spaces is not activated. This results in the apartments blocks seemingly engulfing these internal courtyards; creating void, dark, unappealing spaces.

The recessed, stepped access to retail openings featured at the street level of such apartment buildings, further reinforce this sense of disconnection with pedestrian circulation; as this entrance is not welcoming in nature and requires passers-by to make a conscious decision as to whether or not they should enter these retail spaces - ultimately becoming an inconvenience to the routine circulation path.

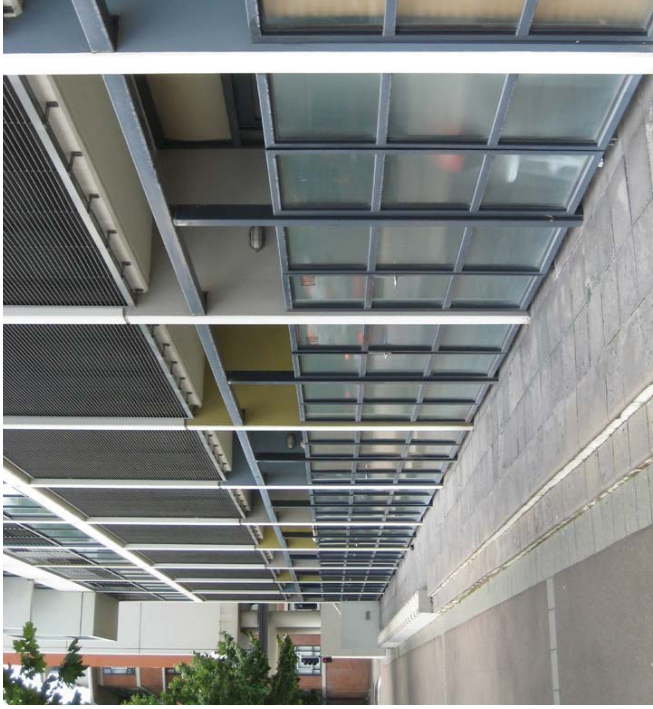
High-rise, apartment developments adjacent to the site do not incorporate existing contextual vegetation into the design of the building, therefore evoke a sense of fabrication and tedious repetition.



01 Oversized, inactivated courtyard space



02 Struggling retail shops elevated from footpath level



03 Access to street level residential - inactive frontage



04 Existing light industrial building on site



Key diagram