

**ITEM 9. LAND OWNER'S CONSENT – LODGEMENT OF A DEVELOPMENT
APPLICATION FOR GREEN SQUARE PLAZA EVENTS**

FILE NO: S100167 and S100174

SUMMARY

The Green Square Plaza (the Plaza) is being developed on land owned by the Council of the City of Sydney (Council) at 303 and 355 Botany Road Zetland (refer Attachment A). The Plaza will become a key public domain space to add to the vibrancy of the Green Square Town Centre (the Town Centre) and contribute to a high level of social and cultural interaction. This is particularly relevant for a new Town Centre with an incoming residential population, which is expected to reach 2,000 by 2018 and to ultimately have a residential population of over 7,500.

From a placemaking perspective, it is important to maximise the opportunity which arises, from the Green Square Library and Plaza design competition. The winning design will deliver an open-air piazza in a space that would otherwise be filled with a public building, because the main interior of the library will be underground.

In accordance with *Sustainable Sydney 2030*, the City of Sydney (the City) is investing considerable resources (over \$467 million) to create a new town centre for the Green Square Urban Renewal Area. Ebsworth Street is being developed as 'Sydney's first new high street in over 100 years'.

The City is now seeking to build upon the approval for the Green Square Library and Plaza (D/2014/1084) by proposing a broader range of moderate and major events to occur in the Plaza when it opens in early 2018. Lodgement of a new Development Application, and an accompanying Statement of Environmental Effects, is required to obtain approval from Council to hold up to 18 major and moderate events per year from 2018.

To support the cultural development of Green Square and achieve the City's *Cultural Policy*, the City is seeking to use the Plaza as an active event space on an ongoing basis. This includes the potential to accommodate a number of major events each year, of up to 4,000 people, to experience cultural events (Australia Day / Chinese New Year etc.) music performances, markets, live sporting broadcasts and art festivals.

The use of the Plaza as a moderate and major event space requires development consent under Part 4 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act).

Owner's consent for the lodgement of a Development Application is required. The granting of owner's consent will not bind the Council to approve the Development Application. It is an administrative step that will allow the application to be considered in accordance with the requirements of the EP&A Act.

Once land owner's consent is granted, lodgement of the Development Application will occur in March 2016.

RECOMMENDATION

It is resolved that:

- (A) Council grant owner's consent for the submission of a Development Application to seek approval to use the Green Square Plaza as a major event space from 2018; and
- (B) note that the granting of owner's consent does not fetter the City's discretion in relation to the assessment of the Development Application under the Environmental Planning and Assessment Act 1979 (NSW), or for any related application required under the Roads Act 1993 (NSW), the Local Government Act 1993 (NSW) or any other legislation.

ATTACHMENTS

Attachment A: Proposed Green Square Plaza in Green Square Town Centre

Attachment B: Draft Statement of Environmental Effects

BACKGROUND

1. In March 2013, the Central Sydney Planning Committee granted consent to the Green Square Town Centre Essential Infrastructure project (D/2012/1175), which established the town centre plan and service provision of key infrastructure utilities. The approval also provided for the conceptual layout of the Green Square Plaza and other key public domain areas.
2. In 2014, the City developed *Creative City*, which established the cultural policy and 10 year action plan. Green Square is seen as an opportunity through urban renewal initiatives to further support cultural and creative development in the City. Green Square is also nominated as a future place for events.
3. On 23 February 2015, Council granted consent to the Green Square Library and Plaza Development Application (DA) (D/2014/1084). This DA established the concept design for the Green Square Library and also the Plaza (refer Attachment A). DA consent did not cover the use of the Plaza for community events.
4. In May 2015, the City approved an *Application to modify development consent to D/2014/1084* to allow the use of the plaza for minor events categorised as “exempt development” in accordance with Part 4 of the EP&A Act.
5. The current position, which allows minor events categorised as “exempt development”, has been assessed as too limiting for the type of and nature of activity and events which are envisaged for the Plaza and its pre-eminent position as part of a vibrant new Town Centre.
6. To support the cultural development of Green Square and achieve the City’s *Cultural Policy*, the City is seeking to use the Plaza as an active event space, including the capability to accommodate some major events of up to 4,000 people for cultural events (Australia Day / Chinese New Year etc.) music performances, markets, live sporting broadcasts and art interactions.
7. The City has drafted a Statement of Environmental Effects and Green Square Plaza Event Management Plan which will form part of the DA (refer Attachment B).
8. Owner’s consent for the lodgement of a Development Application is required. The granting of owner’s consent will not bind the Council to approve the DA. It is an administrative step that will allow the application to be considered in accordance with the requirements of the EP&A Act.

KEY IMPLICATIONS

Strategic Alignment - Sustainable Sydney 2030 Vision

9. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following SS2030 strategic directions and objectives:
 - (a) *Direction 6 – Vibrant Local Communities and Economies* – The proposed DA provides an opportunity to support the social and cultural development of the Green Square community and overall economic viability of the town centre.

- (b) *Direction 7 – A Cultural and Creative City* – the use of the Plaza for events will provide for the cultural development of the Green Square community.
- (c) *Direction 9 – Sustainable Development, Renewal and Design* – the use of the Plaza for events will contribute to the sustainable development and renewal of the Green Square Urban Renewal Area.

Organisational Impact

- 10. From 2018, additional resources may be required from Events Management and City Operations to use and maintain the Plaza as an event space.

Risks

- 11. The DA may generate land owner concern due to events being held adjacent to residential areas. The Statement of Environmental Effects and Event Management Plan contain mitigation measures which require event operators and attendees to prevent significant impacts on adjoining residential areas.

Social / Cultural / Community

- 12. The use of the Plaza for proposed events will enhance the Green Square community through opportunities for increased social interaction and cultural development.

Economic

- 13. The use of the Plaza for community events will support the economic growth and viability of the Town Centre. The Statement of Environmental Effects includes mitigation measures to minimise impacts on adjoining businesses during an event.

BUDGET IMPLICATIONS

- 14. Additional funds may be needed to comply with consent conditions, such as the installation of a speaker system or other event infrastructure, to further enhance the Plaza as a viable event location and also to reduce potential impacts on adjoining residents and businesses.

RELEVANT LEGISLATION

- 15. Land owner's consent is required to lodge a Development Application under Part 4 of the NSW Environmental Planning and Assessment Regulation 2000 (the Regulations) and the EP&A Act. The Chief Executive Officer does not have delegation to give owner's consent for this Development Application.

CRITICAL DATES / TIME FRAMES

- 16. Lodgement of the DA is planned to occur in March 2016. This will provide the City with adequate time to undertake preparatory work to establish and promote the Plaza as a key event space, which will become available in 2018.

OPTIONS

- 17. Lodgement of the DA is the preferred option to provide a long term opportunity to further develop the Plaza as a major event space to support the cultural development of the Green Square community. Without the DA, the Plaza would be limited to minor and/or small scale events categorised as "exempt development".

PUBLIC CONSULTATION

18. Preparation of the Statement of Environmental Effects involved consultation with major adjoining land owners (UrbanGrowth NSW, Mirvac Properties and Crown).
19. The DA will be publicly exhibited in accordance with the Regulations and Green Square Town Centre Development Control Plan 2012.

KIM WOODBURY

Chief Operating Officer

David White, Senior Development Planner