

Attachment B

**Planning Proposal:
225 to 279 Broadway, Glebe**

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City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

Amendment to Sydney Local Environmental Plan 2012



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Executive Summary

The City of Sydney (the City) has prepared this Planning Proposal to change the planning controls for the land at 225 to 279 Broadway, Glebe (the site).

This Planning Proposal explains the intent of and justification for proposed amendments to the Sydney Local Environmental Plan 2012 (LEP). This Planning Proposal is prepared in accordance with Division 3.4 of the *Environmental Planning and Assessment Act 1979* (the Act) and the relevant Department of Planning and Environment guidelines including 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans'.

The site consists of 13 lots totalling about 4,750 square metres in area. The site extends west from the corner of Glebe Point Road and Broadway to the Former Grace Bros Building (now the Broadway Shopping Centre). The site has its northern frontage to Grose Street which is used as a service road by Broadway Shopping Centre. Most lots have buildings of two to four storeys in height. Two heritage listed items are located nearby including the University Hall, to the west, and the Former Grace Brothers Building to the east. The site is within the Camperdown-Ultimo health and education precinct as defined by the Greater Sydney Commission's Draft Eastern City District Plan.

The site is currently zoned B2 Local Centre and has a maximum floor space ratio of 2:1 and a maximum building height of 18m. The Glebe Point Road Conservation Area partly overlaps the western end of the site and extends north-west along Glebe Point Road.

The Planning Proposal aims to encourage development that will revitalise the precinct and support the Camperdown-Ultimo precinct. The proposed increased building height will provide an appropriate transition in height from the Glebe Point Road Conservation Area to Broadway, establish a street wall and setback levels that respect heritage items, retain sun access to Victoria Park and establish a strong urban form. The proposed floor space ratio incentive encourages strategic uses which support the Camperdown-Ultimo Health and Education Precinct, such as commercial premises, health services facilities, educational establishment, hotel accommodation, entertainment premises, light industry, information and education facility and boarding houses used for student accommodation.

The proposed changes to the controls are:

- Increase the maximum building height from 18m to various specific RLs ranging from RL 28.3m to RL 40m to enable four storey buildings with a setback upper level and transition to the adjoining conservation area.
- List the building at 255 Broadway as a Heritage Item under Schedule 5 of the Sydney LEP 2012.
- Insert a new site-specific clause allowing the floor space ratio to exceed the maximum by up to:
 - 1.6:1 for development that is wholly for a commercial premises, educational establishment, entertainment premises, health services facility, hotel or motel accommodation, information and education facility or light industry; and
 - 1:1 for development that is for boarding houses used for the purposes of student accommodation;
 - Provided the development does not include other forms of residential accommodation, achieves a NABERS energy rating of 5.5 stars for

commercial office development and 4.5 stars for hotel development and considers the activation of Grose Street.

Background

1.1. Introduction

The City of Sydney (the City) has prepared this Planning Proposal to change the planning controls for the land at 225 to 279 Broadway, Glebe (the site).

This Planning Proposal explains the intent of and justification for proposed amendments to the Sydney Local Environmental Plan 2012 (LEP). This Planning Proposal is prepared in accordance with Division 3.4 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning and Environment guidelines including 'A Guide to Preparing Planning Proposals' and 'A Guide to Preparing Local Environmental Plans'.

It is proposed to change the height and floor space ratio controls for the site and list one building as a heritage item. Appendix A includes urban design studies that support the proposed controls and Appendix B includes a heritage assessment of the proposed heritage item.

1.2. Site description

The site consists of 13 lots totalling about 4,750 square metres in area. The lots range in size from 151 square metres to 1,216 square metres. The site extends west from the corner of Glebe Point Road and Broadway to the Former Grace Bros Building (now the Broadway Shopping Centre). The site has its northern frontage to Grose Street which is used as a service road by Broadway Shopping Centre. The site has a number of heavily modified older buildings used for a variety of retail and commercial uses. Buildings range from two to four storeys in height. Their architectural styles are varied, ranging from Victorian to Art Deco. All buildings are built to the Broadway frontage and some have a setback to Grose Street. Most lots within the precinct are under individual ownership with the exception of 257-259 Broadway, 263 Broadway and 233-245 Broadway which are multiple lots under single ownership.

The precinct comprises thirteen separate parcels (from east to west) as follows:

- 225 Broadway Glebe, Part Lot 29, DP 65096
- 229 Broadway Glebe, Lot B, 75814
- 231 Broadway Glebe, Lot A, DP 75814
- 2 Grose Street Glebe, Part Lot 26, Sec 1, DP977071, Lot 25, DP 1151351
- 4-8 Grose Street Glebe, Lot 260, DP 1070749
- 233 Broadway Glebe, Lot 1, DP 540373
- 243-245 Broadway Glebe, Lot 1, DP 81755
- 247-253 Broadway Glebe, Lot 1, DP 958122, Lot 1 DP 77602
- 255 Broadway Glebe, Lot 1, DP 930503
- 257 Broadway Glebe, Lot 1, DP 61170
- 259 Broadway Glebe, Lot 1, DP 770367

- 261 Broadway Glebe, Lot 1, DP 569515
- 263-279 Broadway Glebe, Lot 100, DP 1067149, Lot 101, DP 1067149, Lot 102, DP 1067149

The site is shown in Figures 1 through 8.

Figure 1: The site outlined in blue



Figure 2: Aerial photograph of site outlined in blue



Figure 3: The site outlined in red looking west along Broadway

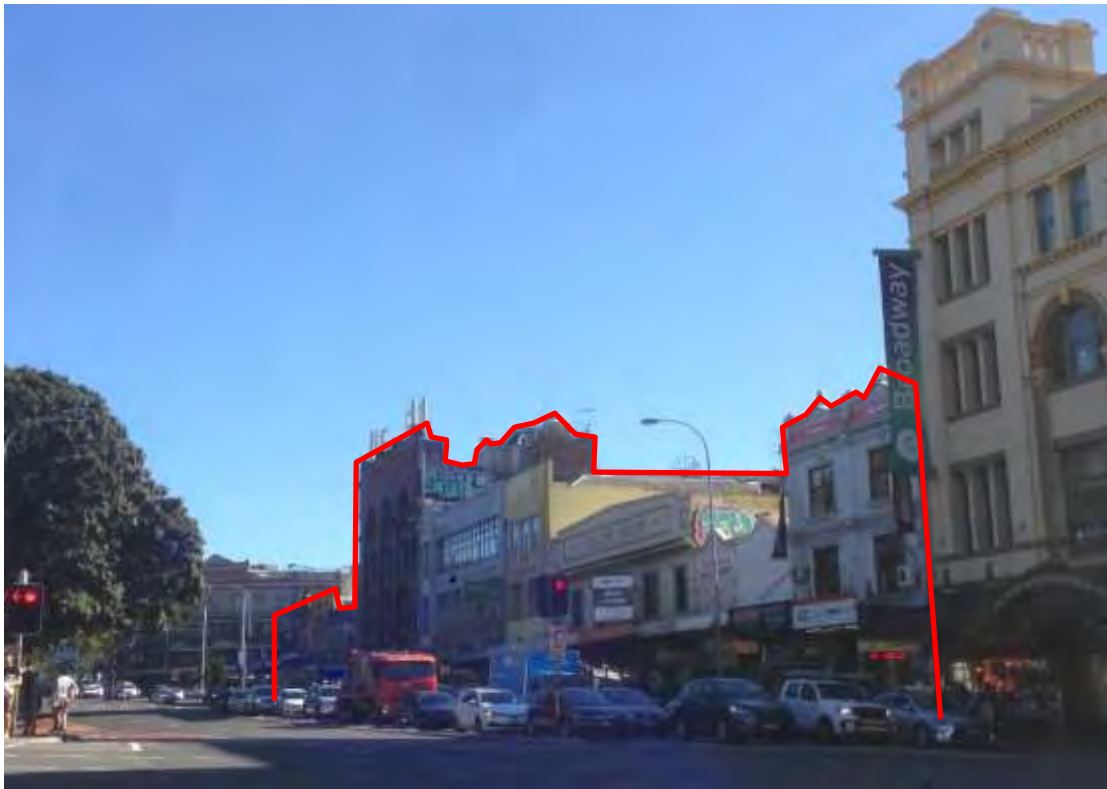


Figure 4: Western end of the site showing properties at 279 to 259 Broadway



Figure 5: Eastern end of the site showing properties at 253 to 225 Broadway



Figure 6: Central part of the site showing properties at 257 to 233 Broadway including proposed heritage item at 255 Broadway (4 storey red brick building)



Figure 7: 279 (left) and 263-277 Broadway on corner of Glebe Point Road and Broadway. 279 Broadway is a contributory building within the Glebe Point Road conservation area.



Figure 8: View west along Grose Street with rear elevations of the site on the left



1.3. Site context

The site is at the intersection of Broadway and Glebe Point Road, a prominent gateway to the city and Glebe Point Road. Broadway is a major arterial road, carrying high volumes of vehicular and pedestrian traffic and providing potential for a highly visible and active frontage. Grose Street is a narrow street and currently used as a service road by the adjacent Broadway Shopping Centre.

The site is well connected to the University of Sydney, the University of Technology, the University of Notre Dame, Sydney Institute of Technology, TAFE Ultimo and the Sydney CBD, with convenient access to a wide range of employment, transport, retail, entertainment, medical, education, cultural, sporting, recreation and other services and amenities. Surrounding land uses in the vicinity of the precinct comprise a mix of educational and institutional, retail, commercial and residential uses.

Victoria Park is opposite the site across Broadway. It features a row of large fig trees along the Broadway frontage. The land falls sharply from the level of Broadway down to Lake Northern. Victoria Park then rises to the pool and Sydney University to the south and west.

The Glebe Point Road retail area and heritage conservation area starts at the western end of the site. Glebe Point Road is characterised by two storey, fine grain Victorian and Federation retail buildings.

Broadway Shopping Centre to the north occupies most of the block between Grose Street and Francis Street, with additional buildings north of Francis Street. It has a height of about 25m consisting of four large commercial storeys. The main loading and servicing docks for the centre front Grose Street. The Former Grace Brothers Building adjoining the eastern end of the site is also part of the Shopping Centre.

The precinct is located within the Camperdown to Ultimo health and education precinct as identified by the Greater Sydney Commission's Draft Eastern City District Plan. The area is one of the largest and most comprehensive health and education precincts in Greater Sydney. In addition to the major universities and health facilities, the area has a number of research institutes, including the Baird Institute, Brain and Mind Research Institute, Centenary Institute of Cancer – Medicine and Cell Biology, George Institute for Global Health and the Woolcock Institute of Medical Research, Sydney Research. The district is home to many students and industry partners who take advantage of the knowledge and innovation that exists around tertiary institutions through collaboration between universities, research institutes and specialised health professionals.

The state heritage listed University Hall Building is on the opposite corner of Glebe Point Road to the west and shown at Figure 9. The Former Grace Brothers Building (part of Broadway Shopping Centre) adjoins the eastern end of the site and is also state heritage listed. It is shown at Figure 10.

Figure 9: State heritage listed University Hall to the west of the site across Glebe Point Road



Figure 10: State heritage listed Former Grace Brother Building (Broadway Shopping Centre) to the east of the site on the corner of Broadway and Bay Street



Figure 11: View east along Broadway with the site outlined

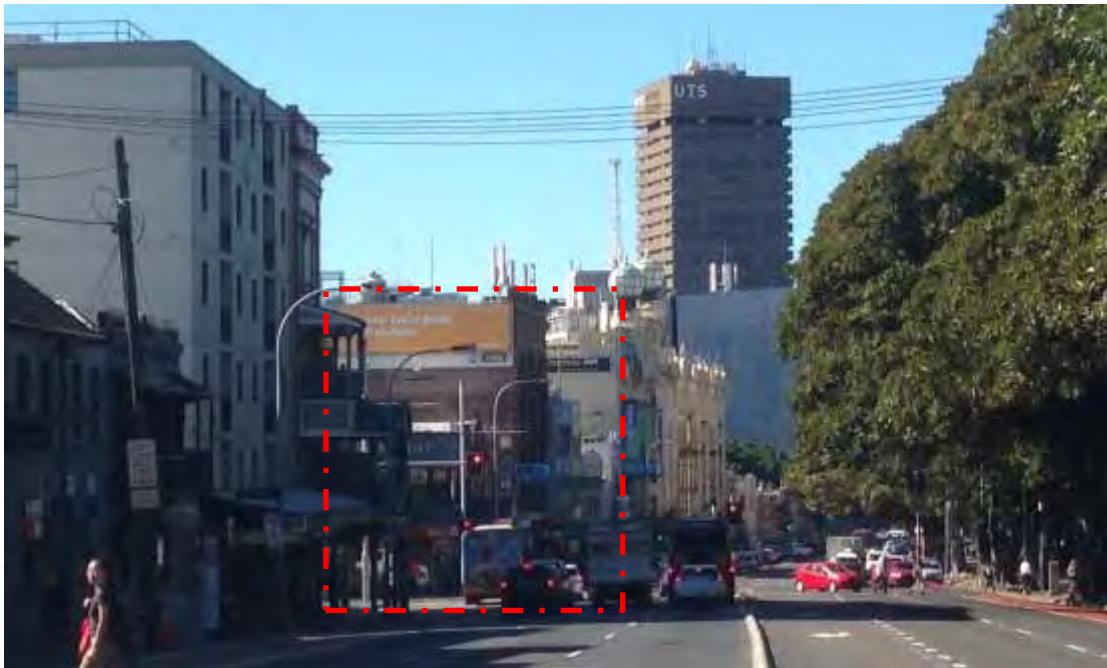


Figure 12: View north towards 255 to 225 Broadway from Victoria Park with the site indicated by the dashed line



Figure 13: View East along Grose Street showing Broadway Shopping Centre loading docks on the left with the site on the right



1.4. Existing planning controls

1.4.1. Zoning

The site is zoned B2 Local Centre under the LEP, as shown in the extract at Figure 14. The objectives of the zone include providing a range of retail, business, entertainment, community and residential uses so as to encourage employment opportunities, maximise public transport usage and support the vitality of local centres. The zoning permits a broad range of uses to support the zone objectives. This Planning Proposal does not seek to change the zoning.

Figure 14: Extract from Sydney LEP 2012 Zoning Map



1.4.2. Floor Space Ratio

The site has a maximum floor space ratio control of 2:1. An extract of the floor space ratio map is shown in Figure 15.

Surrounding development comprises buildings constructed to a significantly higher scale and built form than permitted under the existing planning controls including:

- University Hall with an FSR of approximately 4.5:1
- 1-9 Glebe Point Road which abuts the subject site directly to the west with an FSR of approximately 4.5:1 and
- 255 Broadway with an FSR of approximately 4:1

Figure 15: Extract from Sydney LEP 2012 Floor Space Ratio Map



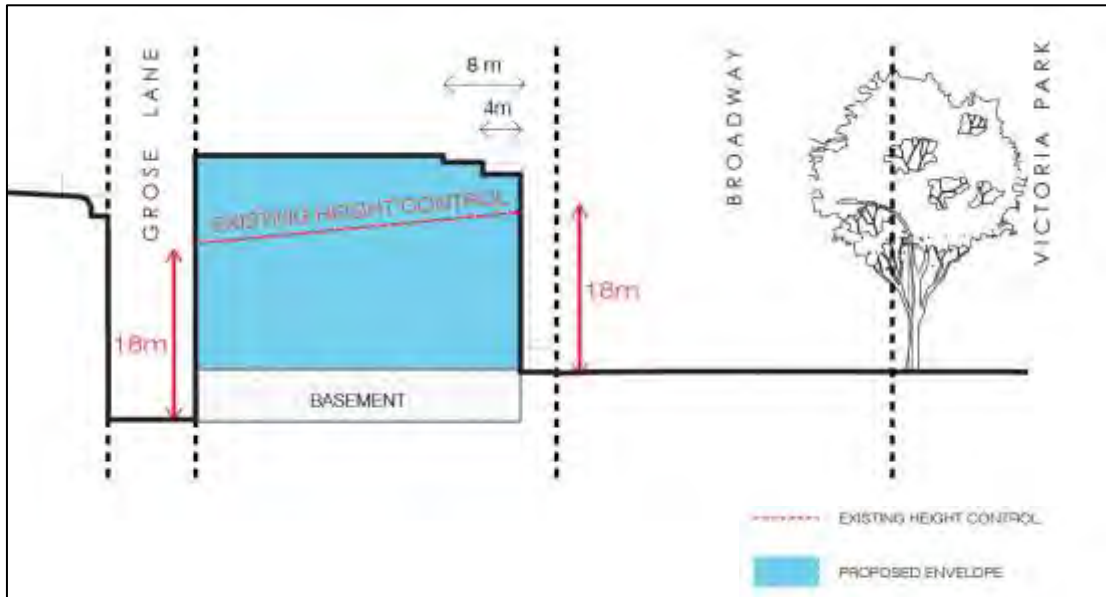
1.4.3. Building Height

The precinct has a maximum building height control of 18m, as shown in Figure 16. This is equivalent to four to five commercial storeys. Due to the fall of land from Broadway to Grose Street, meeting the height control would require buildings to be stepped down despite their being little impact due to the orientation of the site. The fall of land and effect of the control is shown in Figure 17.

Figure 16: Extract from Sydney LEP 2012 Building Height Map



Figure 17: Diagram showing the effect of the 18m height control due to the fall of land between Broadway and Grose Street



1.4.4. Heritage

The Glebe Point Road Heritage Conservation Area (C29) extends from the western end of the precinct and includes part of the site. Two heritage listed items are located nearby including the University Hall, to the west of the precinct, and the Former Grace Brothers Building to the east of the precinct. An extract of the Heritage Map is shown at Figure 18.

Figure 18: Extract from Sydney LEP 2012 Heritage Map



Part 1: Objectives and intended outcomes

This planning proposal will enable the redevelopment of the buildings in Broadway and intends to:

- Set development standards that facilitate appropriate renewal of the precinct
- Incentivise development for strategic land uses including commercial, health, education, retail, hotel, entertainment, light industry and student housing which support the Camperdown-Ultimo Health and Education Precinct
- Protect the heritage of the area by listing 255 Broadway as a heritage item and ensure the scale of development responds sympathetically to heritage items and areas.

Part 2: Explanation of provisions

Explanation of provisions

To achieve the intended outcomes, this planning proposal seeks to amend Sydney Local Environmental Plan 2012 as follows:

1. Amend the Height of Building Map Sheet 9 as shown at Part 5 of this Planning Proposal to increase the maximum building height for:
 - a. 263-279 Broadway to 28.3m RL at the street wall increasing to 32.3m RL behind a 4 metre setback and 38m RL behind an 8 metre setback
 - b. Other lots to 38m RL at the street wall increasing to 39.30m RL behind a 4 metre setback and 40m RL behind an 8 metre setback
2. Insert a site specific local provision that allows the floor space ratio for the site to exceed the maximum by up to:
 - a. 1.6:1 for development that is for commercial premises, educational establishment, entertainment premises, health services facility, hotel or motel accommodation, information and education facility or light industry; or
 - b. 1:1 for development that is for boarding houses that is used for the purposes of student accommodation; and
 - c. Provided the development:
 - i. does not include any other forms of residential accommodation; and
 - ii. achieves a NABERS energy rating of 5.5 stars minimum for any commercial office development; or 4.5 stars for any hotel development; and
 - iii. the consent authority has considered whether the development will activate the Grose Street frontage.
 - d. exclude from the calculation of gross floor area any floor space below the level of Broadway.
3. List the building at 255 Broadway as a heritage item in Schedule 5 of the LEP and amend Heritage Map Sheet 9 as shown in Part 5 of this Planning Proposal

Example clause

Division 5 Site Specific Provisions

Clause 6.41 225 to 279 Broadway, Glebe

1. The objective of this clause is to provide for additional floor space to encourage commercial, education, health, cultural and tourism sectors and associated industries in the Camperdown-Ultimo Health and Education Precinct and sustainable development.
2. This clause applies to the land at 225 to 279 Broadway, Glebe being Part Lot 29, DP 65096; Lot B, 75814; Lot A, DP 75814; Part Lot 26, Sec 1, DP977071, Lot 25, DP 1151351; Lot 260, DP 1070749; Lot 1, DP 540373; Lot 1, DP 81755; Lot 1, DP 958122, Lot 1 DP 77602; Lot 1, DP 930503; Lot 1, DP 61170; Lot 1, DP 770367; Lot 1, DP 569515; Lot 100, DP 1067149; Lot 101, DP 1067149; and Lot 102 DP 1067149.
3. Notwithstanding Clause 4.4, the floor space ratio of development that does not include floor space for the purpose of residential or serviced apartments may exceed the existing maximum floor space ratio by:
 - a. 1.6:1 for development for commercial premises, educational establishment, entertainment premises, health services facility, hotel or motel accommodation, information and education facility or light industry; and
 - b. 1:1 for development for a boarding house used for the purposes of student accommodation.
4. Development consent must not be granted under clause (3) for development that results in a mixed use development that includes residential accommodation other than a boarding house.
5. Development for a commercial premises or hotel or motel accommodation is not eligible for the amount of floor space under clause (3) unless the building achieves a NABERS energy rating, where a rating tool is available, of:
 - a. 5.5 stars for any commercial development; or
 - b. 4.5 stars for any Hotel or Motel accommodation development.
6. Before granting consent to development under clause (3) the consent authority is to consider whether the development activates Grose Street.
7. For the purpose of this clause, any floor space below the level of Broadway along the frontage of the site may be excluded from the calculation of gross floor area.

Schedule 5

Locality	Item	Address	Property description	Significance	Item No
Glebe	Former International Harvester Company of America Warehouse and Showroom	255 Broadway	Lot 1 DP 930503	Local	1664A

Part 3: Justification

The proposed controls create an opportunity to revitalise this prominent block in a way that responds to surrounding heritage buildings, transitions to the Glebe Point Road conservation area, protects Victoria Park from overshadowing and contributes to the important business, education and health uses in the identified Camperdown-Ultimo health and education precinct.

The proposed height and floor space ratio controls are based on the urban design analysis undertaken by the City and Architectus at Appendix A. The proposed heritage listing of 255 Broadway is based on the heritage assessment at Appendix B.

Height and built form

The proposed height controls aim to set a street wall height consistent with heritage buildings, enable setback upper level development that does not detract from the street wall, protect Victoria Park from overshadowing and manage the substantial fall in land from Broadway to Grose Street. The intended built form is shown in Figures 19 to 22.

Figure 19: Proposed built form envelope with the site shown white



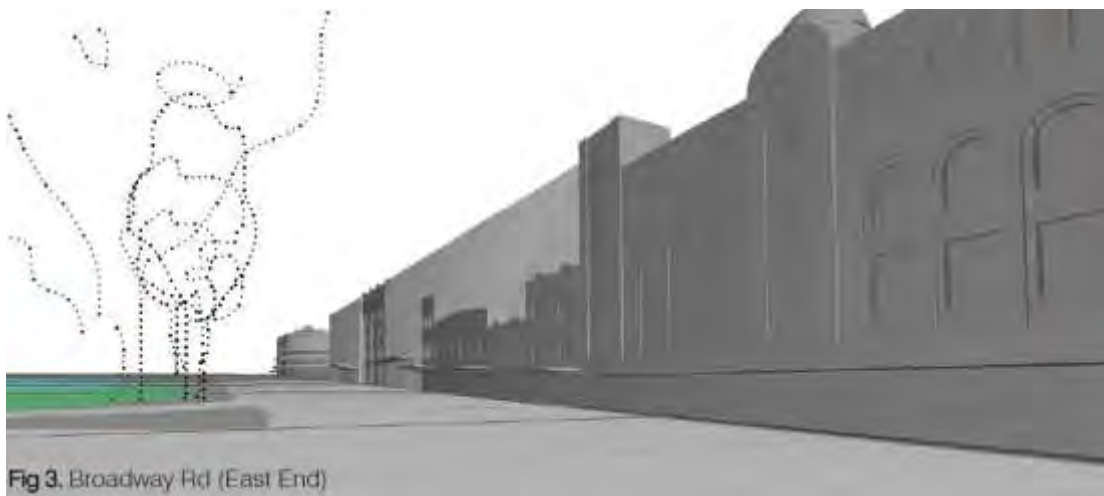
Figure 20: Proposed building envelope looking east from the corner of Broadway and Glebe Point Road



Figure 21: Proposed building envelope looking south along Glebe Point Road



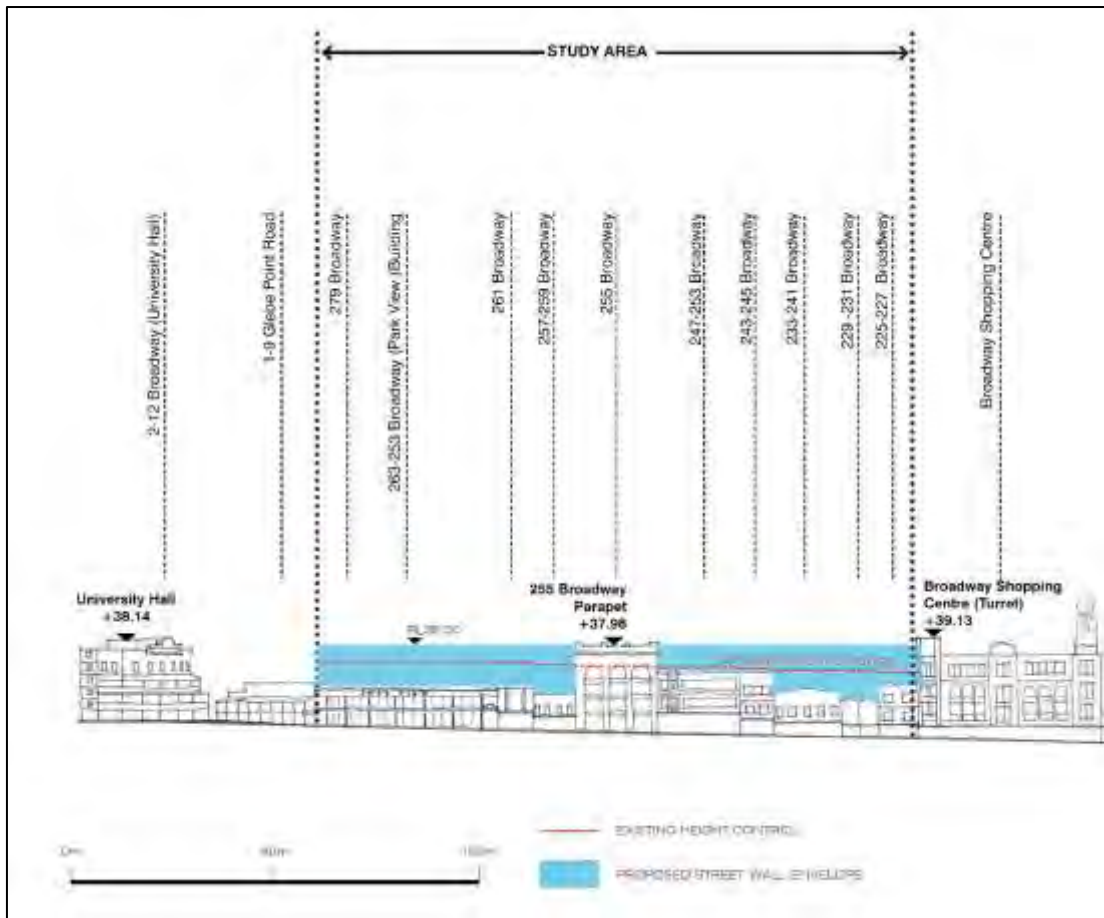
Figure 22: Proposed building envelope looking west along Broadway from City Road



Consistency with heritage buildings

The proposed street wall height is set at 38 RL on Broadway, which is consistent with the heights of heritage buildings at 281-285 Broadway (University Hall), 255 Broadway (Former International Harvester Company of America Building) and 213 Broadway (Former Grace Brothers Building), which range from 37.61m to 38.75m. This approach establishes a strong corner presence and gateway to Glebe Point Road and a consistent street wall along this part of Broadway. The proposed street wall height is similar, but higher, than the existing 18m height control. The existing and proposed height controls are illustrated in Figure 23.

Figure 23: Existing and proposed height controls



Street wall and overshadowing

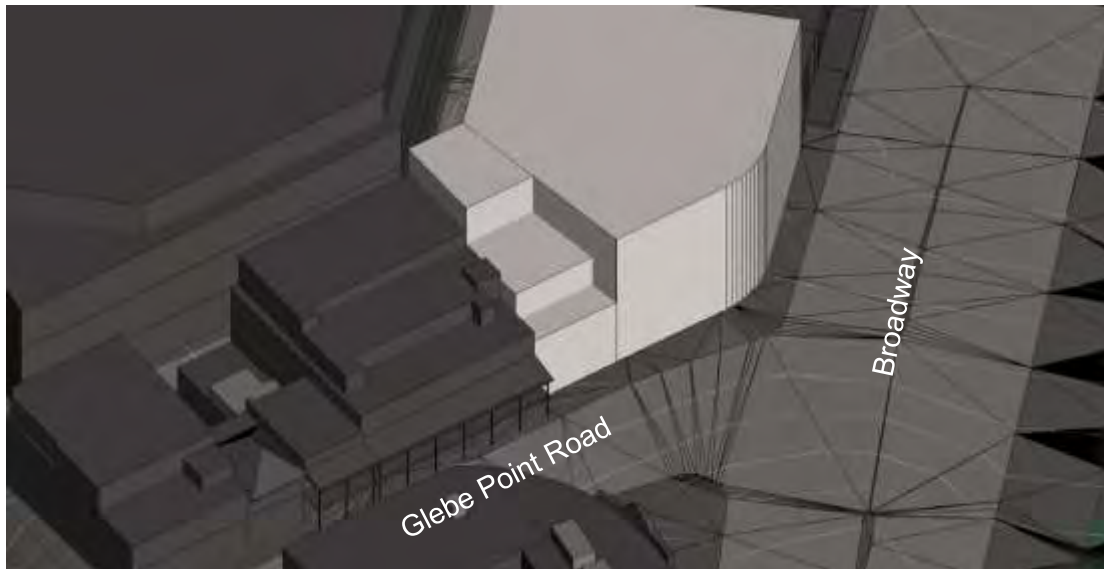
The heights for an upper storey then setback 4 metres to 39.3m RL and another 4 metres to 40m RL in order to ensure the upper level does not detract from the prominence of the street wall and heritage buildings.

Both the street wall and setback level heights protect sun access to Victoria Park with minor encroachment of shadows to the footpath and Broadway edge of the park in mid-winter from mid-afternoon. This edge features the large fig trees which currently shade the area but will still receive sun.

Conservation area transition

The building heights have also been stepped down and setback at the western end of the site at 263-279 Broadway to provide a transition to the two storey scale of the Glebe Point Road Heritage Conservation Area. The setbacks and heights have taken into account the neighbouring development and views south along Glebe Point Road. The proposed setbacks and heights also allow 279 Broadway to be retained as it is a contributory item in the Glebe Point Road Conservation Area. Figure 24 below shows the setbacks and heights at the transition to Glebe Point Road.

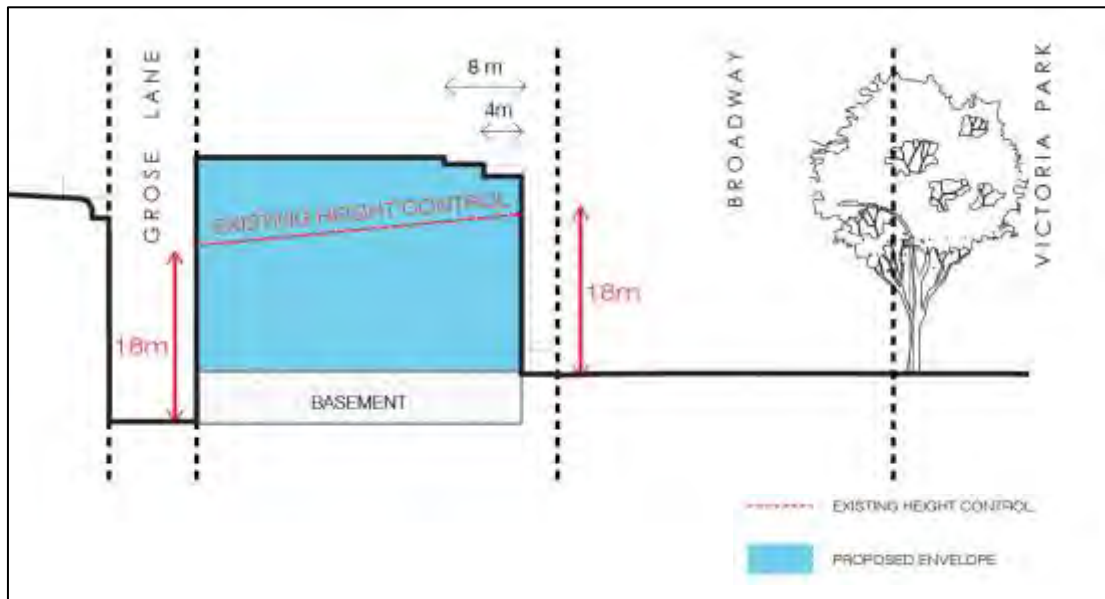
Figure 24: Setbacks and heights at the transition to Glebe Point Road with the subject site shown in white



Managing the fall of land

The heights are proposed to be an RL, or a fixed level above sea level, and not a relative height in metres above ground level. This is to manage the change in levels between Broadway and Grose Street as shown in Figure 25. A height in metres control is measured from the ground level so the maximum height is relatively less on the Grose Street frontage despite there being no impact from the height in that location. The proposed RL is similar to the existing 18m height but will enable reasonable development on the Grose Street frontage and also establish the consistent street wall on the Broadway frontage.

Figure 25: Section comparing existing and proposed height control showing the change ground level



Land use and floor space ratio

The proposed floor space ratio controls retain the existing mapped control of 2:1 and provide additional floor space as an incentive for land uses that support the aims for the Camperdown-Ultimo Collaboration Area and the City's objectives for cultural, night-time and creative uses. The Greater Sydney Commission's Draft Eastern City District Plan includes actions 25 and 26 to support innovation corridors and health and education precincts through:

- the supply of affordable and scalable spaces
- co-location and increased business-to-business interaction
- access to affordable, diverse and multi-purpose housing options
- supporting a strong night time economy and
- attracting businesses, industries and research associated with health and education.

The proposed incentivised land uses include commercial premises, educational establishment, health services facility, hotel or motel accommodation, retail premises, light industry, information and education premises and boarding houses used for the purposes of student accommodation and will support the innovation corridor and health and education precinct.

The floor space incentive will enable approximately 4:1 to be achieved consistently within the proposed height control and across all lots in the block inclusive of any other bonuses, such as up to 10 per cent design excellence, that may be awarded. The FSR is based on urban design testing and exclude any floor space below the level of Parramatta Road to accommodate changing levels. The incentive for boarding houses is less because a 20 per cent bonus is possible under the NSW Government's State Environmental Planning Policy (Affordable Rental Housing) 2009. Given the location, it is considered appropriate that any boarding house use be reserved exclusively for the purposes of student accommodation. The floor space incentive will only be awarded where the development meets relevant sustainability

targets and the proposal has considered the activation of Grose Street. The total floor space ratio achievable is shown in the table below.

Proposed Floor Space Ratio Controls

Land use	Current FSR	Proposed Bonus	Affordable Housing SEPP	Design Excellence	Total
<i>Commercial, hotel, education, health, light industry, entertainment</i>	2	1.6	N/A	10%	3.96
<i>Boarding House</i>	2:1	1	20%	10%	3.96
<i>Residential</i>	2	N/A	N/A	10%	2.2

Residential accommodation, except for boarding houses, is excluded from the incentive. The site's suitability for long term residential accommodation is significantly affected by road noise from Broadway, plant and servicing noise from Broadway Shopping Centre and the limited sun access given the height of Broadway Shopping Centre and the narrow width of Grose Street. Urban design testing found that little additional floor space could be achieved if a residential development was to meet the requirements of the Apartment Design Guide.

Heritage

As discussed, the proposed height controls establish a built form that is sympathetic to the nearby heritage items and transitions to the Glebe Point Road Conservation Area.

In addition, it proposed to list the building at 255 Broadway as a heritage item. 255 Broadway, or the Former International Harvester Company of America Warehouse and Showroom, is a five storey former warehouse constructed in 1906 in the Federation Free Style. The building features three distinct bays with arched tops, a rock faced stone base and brick piers. The building is currently used for retail, office and educational uses. A photo of the building is at Figure 26.

Figure 26: Proposed heritage item at 255 Broadway



A heritage assessment of the site, included at Appendix B, has found that the building has local historic, aesthetic and representative significance. The statement of significance for the site is:

No. 255 Broadway, Glebe, has local historic and aesthetic significance as part of the pattern of warehouses and stores that characterised the western part of the City of Sydney in the late nineteenth and early twentieth centuries. Design by Robertson and Marks, one of the leading commercial architects of the period and built c.1906 it is a good example of the Federation Free style, with finely detailed Romanesque Style entrance.

The existing building has limited opportunity to increase its height or floor space as it exceeds the existing height and is similar to the proposed height control. Also, the existing floor space ratio is estimated to be about 4:1. Despite the proposed listing, given the existing building form, it is unlikely the building would have been able to take advantage of the proposed new planning controls.

An internal inspection was not undertaken during the assessment. It's assumed at least some structure remains and modern office fit outs have been constructed. At this time, it is proposed to include the interiors in the listing however this may be reviewed if further information is provided during exhibition.

Need for the planning proposal

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

No, the planning proposal and review of the controls arises from a resolution of Council and submissions by land owners.

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

The proposed height control is the best means of managing the fall of the land and implementing a height that responds to heritage in the area. An incentive for specific uses is the best means of supporting strategic outcomes, zone objectives and ensuring development manages the environmental conditions of the precinct.

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)?

This Planning Proposal responds to and is consistent with the Revised Draft Eastern City District Plan and the Draft Greater Sydney Region Plan.

The Greater Sydney Commission's revised draft Eastern City District Plan sets a vision, priorities and actions for the development of the Eastern City District of Greater Sydney. The Eastern City District includes the local government areas of Bayside, Burwood, City of Sydney, Canada Bay, Inner West, Randwick, Strathfield, Waverley and Woollahra.

The plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney to be a global sustainability leader, managing growth while maintaining and enhancing the district's liveability, productivity and attractiveness for residents and visitors. Priorities and associated actions for productivity, liveability and sustainability seek to deliver this vision.

The subject site is within the Camperdown-Ultimo health and education precinct as shown in Figure 27. The proposed incentive for strategic uses supports the Camperdown-Ultimo health and education precinct and is consistent with actions 25 and 26 of the Draft District Plan and objective 21 and action 7 of the Draft Regional Plan.

Figure 27: Camperdown-Ultimo Health and Education Precinct (Source: Draft Eastern City District Plan, Greater Sydney Commission, 2017)



The Camperdown-Ultimo health and education precinct includes the Royal Prince Alfred Hospital, the University of Sydney, University of Technology, University of Notre Dame, TAFE Ultimo, and medical research institutions. The plan identifies this area as a health and education precinct and an important location for knowledge-intensive jobs, innovation and service delivery.

The plans suggest providing opportunities to partner with the relevant institutions and agencies, including NSW Health, councils and NSW Government agencies, to grow the health and education offerings of the super precinct and investigating opportunities to improve pedestrian connectivity between clusters of activity located in, and surrounding, four key nodes in the super precinct, being Ultimo, Camperdown, Redfern Station and Central Station. The planning controls create opportunities for, and encourages, business and associated services that contribute to the cluster of economic activity.

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

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 planning proposal is aligned with the following SS2030 strategic directions and objectives:

- Direction 1 - A Globally Competitive and Innovative City – the planning proposal incentivises strategic land uses that will contribute to the Camperdown-Ultimo health and education collaboration area.
- Direction 2 provides a road map for the City to become A Leading Environmental Performer – the planning proposal encourages improved environmental performance by applying NABERS ratings for commercial and hotel uses.
- Direction 7 - A Cultural and Creative City - the planning proposal incentivises strategic land uses that support cultural, night-time and creative uses.
- Direction 9 - Sustainable Development, Renewal and Design – the planning proposal establishes a built form that responds to the heritage of the area, conserves a significant building and protects the sun access to public open space.

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

The planning proposal is consistent with all relevant SEPPs and Regional Environmental Plans. Comments on relevant SEPPs are provided in the table below.

Consistency with State Environmental Planning Policies

State Environmental Planning Policy (SEPP)

SEPP No 55— Remediation of Land	The Planning Proposal is not changing land uses at the precinct and there are no additional sensitive uses on the precinct.
SEPP No 65—Design Quality of Residential Flat Development	Development outcomes for the site are capable of achieving the SEPP 65 principles.
SEPP No 70— Affordable Housing (Revised Schemes)	Consistent.
SEPP (Affordable Rental Housing) 2009	Consistent. The proposed FSR control accommodates the potential for bonuses under the SEPP.
SEPP (Infrastructure) 2007	<ul style="list-style-type: none"> • Pursuant to clause 104, as the precinct does not have direct vehicular access to a classified road or to a road that connects to a classified road, and the precinct will not introduce 300 or more dwellings. • Pursuant to clause 101(2), as the development has a frontage to a classified road, vehicular access is provided by another road.

State Environmental Planning Policy (SEPP)

- The increase in height and FSR will not reduce the safety, efficiency, and ongoing operation of the classified road. Further detail on design and location to ameliorate potential traffic noise or vehicle emissions within the precinct of the development will be provided at DA stage.

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

The Planning Proposal is consistent with the Ministerial Directions as described in the table below.

Consistency with Ministerial directions

Ministerial Direction	Comment
<i>1 Employment and Resources</i>	
1.1 Business and Industrial Zones	Consistent. The proposal is consistent with this direction. The planning proposal introduces the potential for additional Floor Space for non-residential development. This is expected to encourage additional employment uses at the precinct.
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.
<i>2 Environment and Heritage</i>	
2.1 Environment Protection zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	Consistent. The area has a strong heritage context. <ul style="list-style-type: none">• The planning proposal sets height controls to respect heritage items and transition to the adjoining conservation area.• The property at 255 Broadway is recommended as an additional listed item in Schedule 5 of the LEP as

Ministerial Direction	Comment
	it has historic, aesthetic and representative heritage values.
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	Not applicable.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	<p>Consistent.</p> <ul style="list-style-type: none"> • The precinct is well located in terms of access to existing public transport with major bus and rail services within close walking distance as well as future light rail. • The Planning Proposal will allow development with a density commensurate with the precinct's prominent location and access to transit; • 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. The proposal is considered to be of minor significance as the form of development that may affect acid sulfate soils is already permitted under the current planning controls. Development under the planning proposal is no more likely to affect acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Not applicable.

Ministerial Direction	Comment
4.3 Flood Prone Land	Consistent. This planning proposal does not affect application of flood prone land provisions in Sydney LEP 2012.
4.4 Planning for Bushfire Protection	Not applicable.
<i>5 Regional Planning</i>	
5.1 Implementation of Regional Strategies	Consistent. This planning proposal is consistent with the draft Regional and District Plans as described above.
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.
5.10 Implementation of Regional Plans	Not applicable.
<i>6 Local Plan Making</i>	
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 Purpose	Consistent. This planning proposal will not affect any land reserved for public purposes.
6.3 Site Specific Provisions	Division 5 of the LEP contains site-specific provisions for various sites across the City. This Planning Proposal involves introducing site-specific controls into the LEP to ensure that additional floor space is used to incentivise strategic land uses consistent with the Draft District Plan.
<i>7 Metropolitan Planning</i>	

Ministerial Direction	Comment
7.1 Implementation of a Plan for Growing Sydney	Consistent. The proposal is consistent with the draft Regional Plan as described above.
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.

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 urbanised area and does not contain any known critical habitat or threatened species, populations, ecological communities or habitats.

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

The planning proposal has been developed to ensure heritage, urban design, massing and overshadowing issues are addressed as described previously in this planning proposal.

Traffic and Transport

The site is located on Broadway which offers good connectivity for both public and private transport options. Pedestrian crossings along Broadway are located at the intersections of Glebe Point Rd, City Rd, Mountain and Abercrombie Streets. Bus stops are located on Broadway, Glebe Point Road and City Road, providing direct access to the City as well as Sydney's western and south-western suburbs.

The site is well serviced by transport and has many retail, commercial, education and health services within walking distance. The site is identified as Category D under the Public Transport Accessibility Level Map of the LEP. This means that the

precinct has the highest level of transport accessibility available for non-residential land uses and therefore is subject to more restrictive car parking controls relative to other sites located further away from public transport services.

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

This planning proposal is likely to have positive economic effects by encouraging the revitalisation of the block and supporting key industry sectors including commercial, education, health, tourism and cultural uses.

State and Commonwealth interests

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

The precinct in Broadway is well serviced by public transport and public utilities including electricity, telecommunications, water, sewer and stormwater. It is expected that these services would be upgraded by the developer if needed. Social infrastructure close to the precinct includes retail, commercial, community services and facilities along Broadway, Glebe Point Road, Bay Street and Francis Street. The site is located opposite Victoria Park.

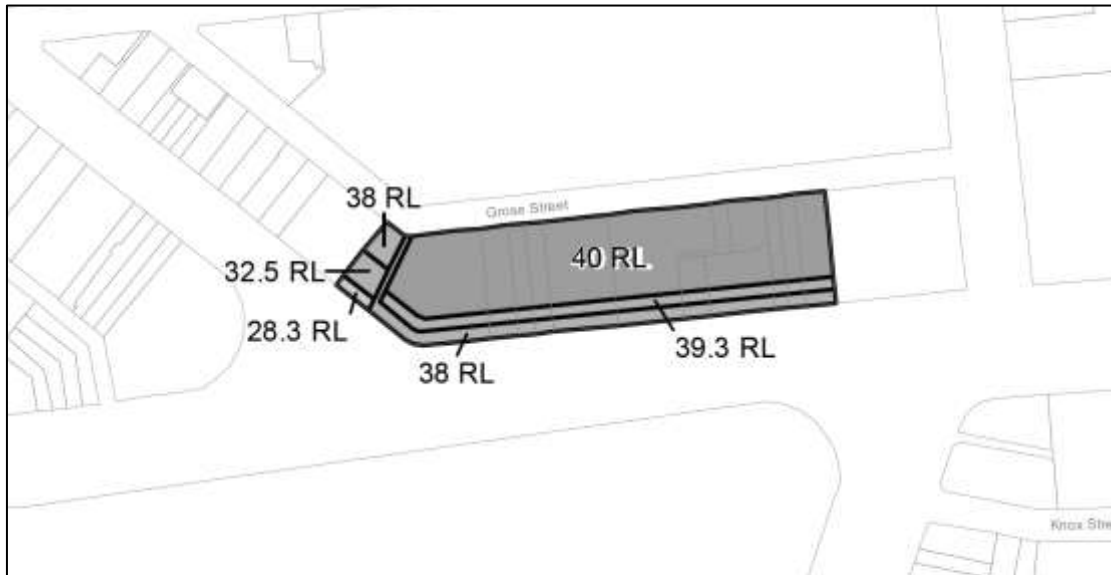
Q11. What are the views of state and commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway Determination will advise the public authorities to be consulted as part of the Planning Proposal process. Any issues raised will be incorporated into this Planning Proposal following consultation in the public exhibition period.

Part 4: Mapping

The planning proposal amends the following maps as shown below:

- Height of Buildings Map - Sheet HOB_009 – to introduce new maximum building heights as RLs



- Heritage Map - Sheet HER_009 – to identify 255 Broadway as a heritage item



The changes to the maps are shown below.





Part 5: Community consultation

The planning proposal will be publicly exhibited in accordance with the Gateway Determination. The Gateway Determination will set the minimum number of days for public exhibition. Under Schedule 1 clause 4 of the *Environmental Planning and Assessment Act 1979* the notification period will be 28 days unless a different period is specified in the Gateway Determination.

The City will notify the public of the exhibition on the City's website, in newspapers that circulate widely in the area and in writing to the landowners, relevant community groups and stakeholders near the site. Exhibition documents will be made available for viewing on the City of Sydney website and at the One Stop Shop at Town Hall House.

Part 6: Project timeline

It is estimated that this amendment to the LEP will be completed by November 2018.

Stage	Timing
Submit Planning Proposal to Department of Planning and Environment seeking a Gateway Determination	March 2018
Receive Gateway Determination	May 2018
Public exhibition and public authority consultation of Planning Proposal	June 2018
Review of submissions received during public exhibition and public authority consultation	July to August 2018
Council and Central Sydney Planning Committee consideration of Planning Proposal	September 2018
Drafting of LEP amendment and finalisation of mapping	October 2018
LEP amendment is made and published	December 2018