

Post Exhibition - Planning Proposal - Danks Street South Precinct - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment and Draft Planning Agreement

File No: S114074

Summary

The Danks Street South precinct (precinct) provides an important opportunity to contribute to housing supply and community infrastructure provision within an accessible area close to existing and future services, employment opportunities and social and physical infrastructure.

The precinct is in the suburb of Waterloo. It is bounded by Bourke Street to the east, Danks Street to the north, Morehead Street to the west and McEvoy Street to the south. Approximately 80 per cent of the land in the precinct is within the Green Square urban renewal area, with the remaining portion located in the Young Street Locality, defined in Sydney Development Control Plan 2012.

In December 2016, Council and the Central Sydney Planning Committee resolved to publicly exhibit draft planning controls for the precinct. The resolutions of Council and the Central Sydney Planning Committee are at Attachment C. The draft controls consist of a Planning Proposal to amend Sydney Local Environmental Plan (LEP) 2012 and a draft amendment to Sydney Development Control Plan (DCP) 2012. The purpose of this report is to inform Council of the outcomes of the public exhibition and to seek approval of the finalised Planning Proposal at Attachment A and the draft DCP amendment at Attachment B.

On 1 February 2017, the Department of Planning and Environment issued a Gateway Determination to allow public exhibition of the Planning Proposal. The Gateway Determination is at Attachment D and authorises Council to liaise directly with Parliamentary Counsel to draft and make the LEP under delegation, giving effect to the Planning Proposal. An alteration to the Gateway Determination was issued by the Department on 7 December 2017 extending the timeframe for finalising the Planning Proposal until 8 August 2018. A second extension was granted until 8 February 2019 to allow further time to address the points raised during the public exhibition. The extensions to the Gateway Determination are also at Attachment D.

The Planning Proposal and draft DCP were publicly exhibited for 46 days from 2 May to 16 June 2017. The City received a total of 263 submissions: 195 submissions via the City's website 'Sydney Your Say' and 39 written submissions from local residents, local landowners and state agencies. The submissions raised matters relating to development capacity and design excellence, building heights, amenity, density and traffic impacts. Most submissions also provided evidence to suggest that existing public transport infrastructure is overcrowded and unreliable, with many stating that in the morning peak buses travelling north are full when they arrive and get stuck in Sydney's congested streets. A summary of all submissions, including responses from the City, is at Attachment E and significant issues are discussed in detail in the body of this report.

A social infrastructure appraisal and revised transport assessment have been prepared in response to points raised and are at Attachment J and Attachment F respectively.

The City is working with Transport for New South Wales (TfNSW) jointly funding and preparing a draft Green Square and Waterloo Transport Action Plan (draft Action Plan). The draft Action Plan is yet to be finalised and is not yet available for publication. The purpose of the draft Action Plan is to identify public transport solutions in the 0-5 year planning horizon, when additional rail capacity from the new Metro rail station at Waterloo will be provided. It includes actions for additional rail and bus services and changes to existing bus services to increase capacity.

The Green Square and Waterloo Transport Action Plan - Danks Street Background Paper, at Attachment I, provides some background about how the draft Action Plan is being developed, the evidence base, and what is expected to be included in the draft Action Plan when published. It also highlights the announced key actions that specifically relate to and will support the future development of Danks Street South, with the first complement of bus service improvements being announced by TfNSW on 14 November 2018. The related press release is provided as Attachment H. The Background Paper has been prepared by the City to inform Council's consideration of this report.

Following the public exhibition, the City further developed the design of the public domain and built form. The urban design study, at Attachment K, which accompanies the Planning Proposal and draft DCP is amended to show the progression of this work and the final proposed public domain and built form layouts. Notable changes are discussed in the body of this report.

Together, the Planning Proposal and draft DCP establish appropriate height of building standards and building envelope controls to express the unchanged floor space ratios, as well as providing a greater level of detail for public infrastructure and domain which is required to be provided in association with the future development of this land. This will support the redevelopment of the precinct and provide greater certainty for development proponents, Council and the local community. The controls strike an appropriate balance between facilitating development and securing precinct infrastructure within acceptable amenity and environmental impacts.

A draft Planning Agreement, at attachment L, has been prepared to secure the public benefits connected with the Planning Proposal and draft DCP, insofar as they are to be delivered on the largest landholding in the precinct - 903-921 Bourke Street (the Dahua site). The public benefit offer includes dedication and embellishment of a new park, new streets, public plaza and through-site links and will secure their delivery in a timely manner with the development of the Dahua site.

In summary, the revised Planning Proposal, following exhibition, seeks to amend the current permissible building heights for the precinct ranging from 15 to 22 metres (three to six storeys) to a predominant height of 24 metres (six storeys), with one maximum building height of 65 metres (20 storeys) for the tallest building in the precinct and one 40 metre height (12 storeys) for the second tallest building. No change to the permissible floor space ratio under the current LEP is recommended. The draft DCP, together with the draft Planning Agreement, contain requirements for public infrastructure to support the precinct's redevelopment.

The Planning Proposal, draft DCP and draft Planning Agreement will support the objectives and planning priorities established in the Greater Sydney Region Plan and Eastern City District Plan and the City's Sustainable Sydney 2030 Directions, facilitating the following:

- two public parks totalling 5,400 square metres for passive recreation and small scale community events;
- new local streets, including shared zones and pedestrian/cycle only through site links;
- a public square of around 1,400 square metres;
- delivery of approximately \$20,900,000 (at current rates in affordable housing contributions) through the Green Square Affordable Housing scheme;
- approximately 1,275 new homes, close to public transport and cycleways, and access to existing community infrastructure and local goods and services;
- high quality buildings and public domain; and
- delivery of infrastructure through the Green Square Community Infrastructure floor space scheme.

This report seeks that Council approves the Planning Proposal and draft DCP, as amended following exhibition, and that the Council exercises its delegation to amend Sydney Local Environmental Plan 2012 in accordance with the Planning Proposal.

Recommendation

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - Danks Street South Precinct and Draft Sydney Development Control Plan 2012 - Danks Street South Precinct Amendment, as shown at Attachment E to the subject report;
- (B) Council note the commitment from the Minister for Transport and Infrastructure to work with the City to develop an access strategy for Green Square to address critical public transport issues in the short term (five years), provided at Attachment G to the subject report;
- (C) Council note the contents of the Green Square and Waterloo Transport Action Plan - Danks Street Background Paper, as shown at Attachment I to the subject report, and recent announcement of bus improvements, as shown in the Transport for NSW media announcement, as shown at Attachment H to the subject report, that details the progression of this collaboration;
- (D) Council approve Planning Proposal - Danks Street South Precinct, as shown at Attachment A to the subject report, to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979 following the execution and registration on title of a Planning Agreement generally in accordance with that shown at Attachment L to the subject report;
- (E) Council approve Draft Sydney Development Control Plan 2012 - Danks Street South Precinct Amendment, as shown at Attachment B to the subject report, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan; and
- (F) authority be delegated to the Chief Executive Officer to make minor variations to Planning Proposal - Danks Street South Precinct and Draft Sydney Development Control Plan 2012 - Danks Street South Precinct Amendment to correct any minor drafting errors prior to finalisation.

Attachments

- Attachment A.** Planning Proposal - Danks Street South Precinct. Dated November 2018. Post exhibition changes marked in red.
- Attachment B.** Draft Sydney Development Control Plan 2012 - Danks Street South Precinct Amendment. Dated November 2018. Post exhibition changes marked in red.
- Attachment C.** Resolution of Council of 12 December 2016 and Resolution of the Central Sydney Planning Committee of 8 December 2016.
- Attachment D.** Gateway Determination dated 1 February 2017, Gateway Determination Alterations dated 7 December 2017 and 6 July 2018.
- Attachment E.** Table of Submissions and Responses from the City of Sydney.
- Attachment F.** Danks Street South Precinct Masterplan Transport Assessment - Addendum 1, Response to TfNSW, PeopleTrans. Dated May 2018.
- Attachment G.** Letter from the Minister for Transport and Infrastructure giving commitment to a short term access strategy for public transport in Green Square. Dated December 2017.
- Attachment H.** Transport for NSW Media Release – Public Transport Boost for Green Square. Dated November 2018.
- Attachment I.** Green Square and Waterloo Transport Action Plan - Danks Street Background Paper.
- Attachment J.** Danks Street South - Social Infrastructure Appraisal.
- Attachment K.** Danks Street South - Urban Design Study. Updated November 2018.
- Attachment L.** Draft Planning Agreement - 903-921 Bourke Street, Waterloo and Explanatory Note.

Background

Purpose of the report

1. This report seeks Council endorsement for the making of Planning Proposal - Danks Street South Precinct (Planning Proposal) and Draft Sydney Development Control Plan 2012 - Danks Street South Precinct Amendment (draft DCP). The Planning Proposal, at Attachment A, seeks to amend Sydney Local Environmental Plan 2012 (Sydney LEP 2012). The draft DCP, at Attachment B, seeks to amend Sydney Development Control Plan 2012 (Sydney DCP 2012).
2. The existing versions of the Planning Proposal and draft DCP were approved by Council and the Central Sydney Planning Committee (CSPC) for public exhibition on 12 December 2016 and 8 December 2016 respectively. The Council and CSPC resolutions are shown at Attachment C.
3. A Gateway Determination allowing public exhibition of the Planning Proposal was issued by the Department of Planning and Environment (DPE) on 1 February 2017 and subsequently altered on 7 December 2017 to extend the timeframe for finalisation of the Planning Proposal to 8 August 2018. On 6 July 2018 a second extension was granted until 8 February 2019 to allow further time to address the points raised during the public exhibition. The Gateway Determination and the altered determinations are at Attachment D.
4. The Planning Proposal and draft DCP were placed on public exhibition in accordance with the Gateway Determination from 2 May to 16 June 2017. In response, 263 submissions were received. The submissions and the City's response are summarised at Attachment E. Key issues raised in the submissions are discussed in detail later in this report.

Site details and context

5. The precinct is located in the suburb of Waterloo and is bounded Bourke Street to the east, McEvoy Street to the south, Morehead Street to the west and by the sites immediately south of Danks Street to the precinct's north, as shown in Figure 1. About 80 per cent of the precinct lies within the Green Square urban renewal area. Figure 2 shows the precinct location within the wider context.

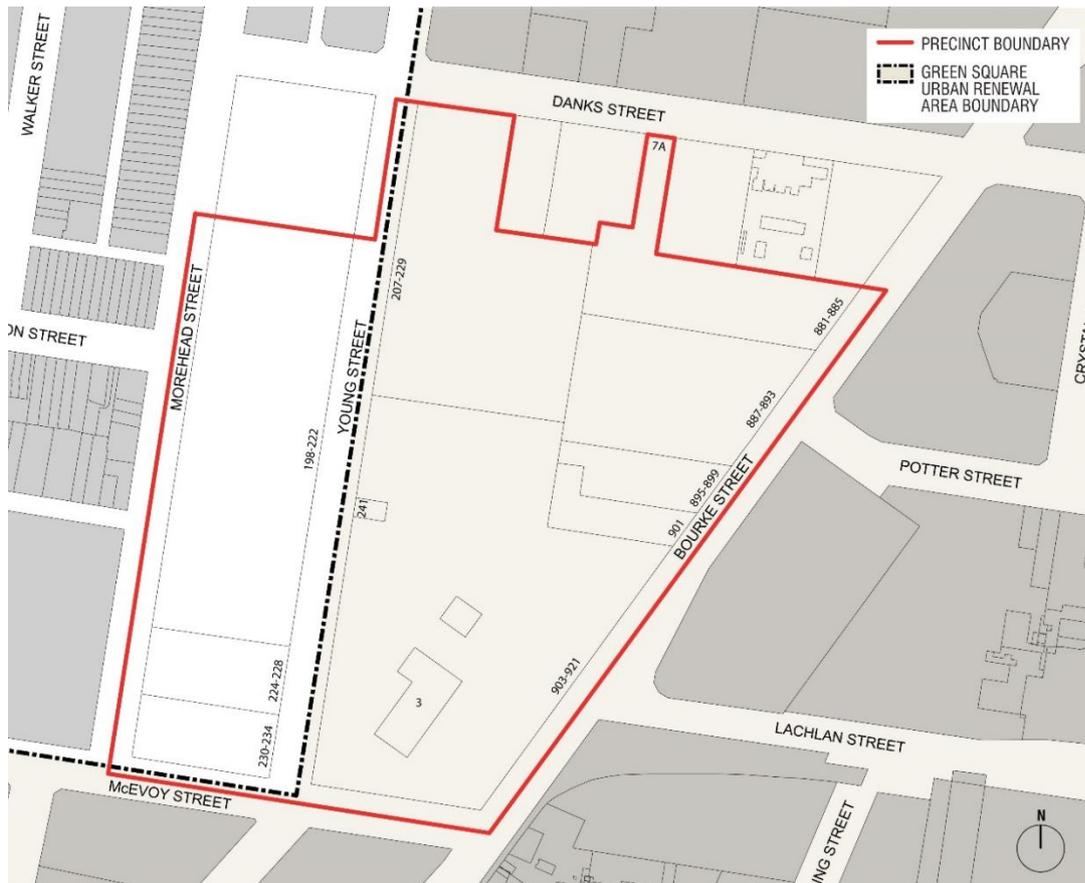


Figure 1: Danks Street South Precinct - Boundary



Figure 2: Danks Street South Precinct - Wider context

6. The precinct is approximately a one kilometre walk to the Green Square train station, and a 1.4 kilometre walk to the proposed Sydney Metro Waterloo station.
7. The precinct is made up of 11 lots across approximately 92,500 square metres of land. The lots range in size from 19,350 square metres to 140 square metres. Figure 3 shows landownership. Figures 4 is an aerial photo of the precinct and shows the layout of the existing buildings and the context of the site in the local area.

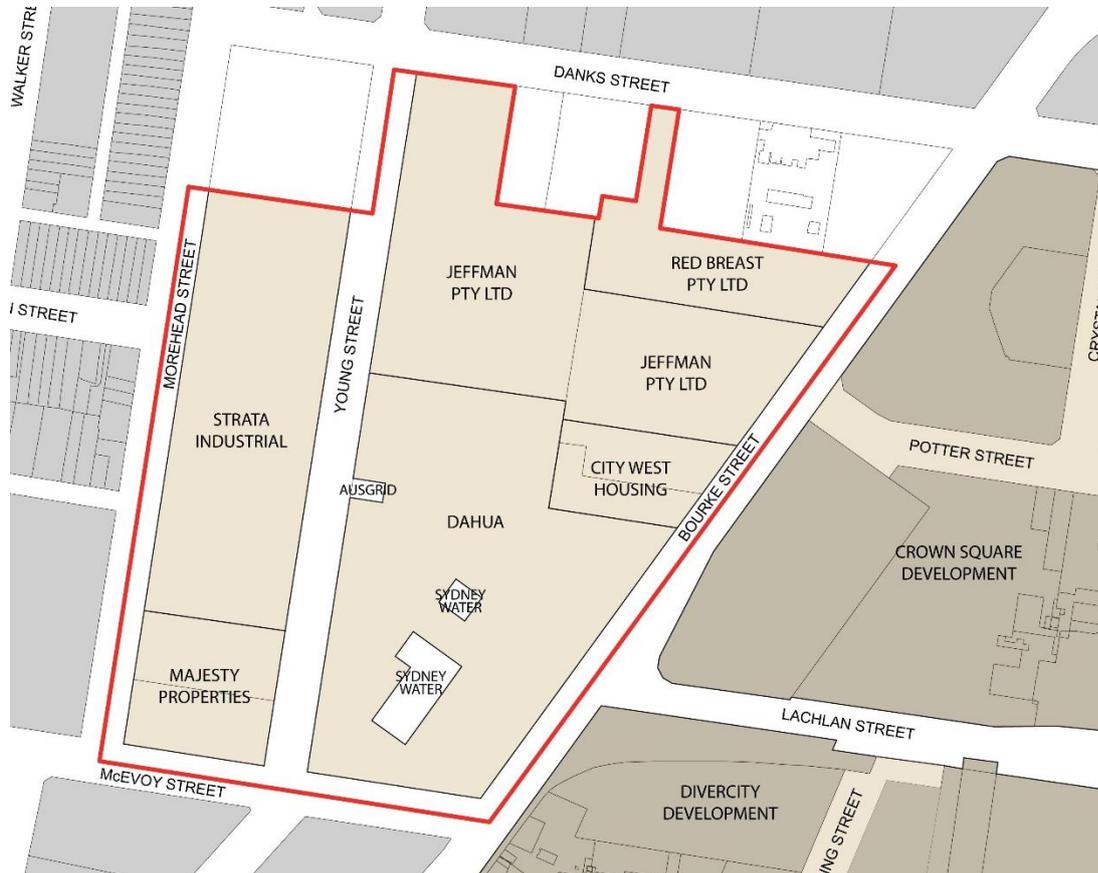


Figure 3: Danks Street South Precinct - Landownership



Figure 4: Danks Street South Precinct - looking north-east

8. The largest site, at 903-921 Young Street, is owned by Dahua Group who purchased it from Sydney Water in 2015. This site includes two heritage listed buildings, the Pump House and the Valve House, which are still owned by Sydney Water. They are identified as owned by Sydney Water in Figure 3. These buildings are still in operation and supply water to the eastern suburbs.
9. Three land parcels at 207-229 Young Street, 881-885 Bourke Street and 887-893 Young Street, are owned by the two landowners, Jeffman Pty Ltd and Red Breast Pty Ltd. The site at 887-893 Young Street is occupied by Lawrence Dry Cleaners, the other two sites have commercial/retail tenancies. Together, this is the largest landholding in the precinct.
10. The sites at 895-899 and 901 Bourke Street are owned by City West Housing. A development application for 72 affordable rental housing apartments and ground floor retail was approved by Council in April 2018, subject to the execution of a planning agreement. The sites are currently leased to commercial tenants.
11. Current land uses include vacant land, one to two storey light industrial buildings and some retail and offices. The precinct, by nature of the landholding pattern, also includes a small frontage to Danks Street. Danks Street offers a variety of boutique and specialty shopping and a hardware/timber yard.
12. The majority of development in immediately surrounding sites is made up of residential apartment buildings. These vary in scale from four to 15 storeys in the 'Crown Square' development to the south-east of the precinct, and up to 20 storeys in the 'Moore Park Gardens' development on Phillip Street to the north of Danks Street, shown in Figure 3. The 'Diversity' development, shown in Figure 2, is in the Lachlan Precinct, with building heights ranging from 10 to 12 storeys.

13. Currently there is significant construction activity in the Lachlan precinct, with building heights ranging from six to eight storeys with some towers of 20 and 15 storeys. There has also been a number of lower scale mixed use developments on Danks Street. To the west of the Precinct, lies the Waterloo conservation area, which consists of mostly Victorian terraces of one and two storeys.

Site Constraints

14. The precinct's former industrial uses have resulted in large landholdings, with little physical or social infrastructure, such as roads, community facilities or open spaces. There is also a complex arrangement of easements and other constraints shown in Figure 5 that will influence the preparation of planning controls and are summarised below:
 - (a) **Drainage and Sewer infrastructure** – a stormwater culvert runs along the western side of the Dahua site, adjacent to Young Street. Sydney Water have confirmed they would not allow development over this culvert.
 - (b) **Access and movement** – there are no public roads within the precinct. The Dahua site is currently fenced, with access only to Sydney Water maintenance vehicles.
 - (c) **Existing easements and reservations** – there is a complex arrangement of infrastructure related easements across the Dahua site, shown in Figure 8. This infrastructure will remain as the precinct redevelops. There are also high pressure underground water pipes associated with the Sydney Water buildings and high voltage electricity cabling. The relevant agencies have confirmed this infrastructure cannot be relocated or built over. Development, therefore, needs to be located around it.
 - (d) **Heritage** – there are four heritage listed buildings in the precinct. Two are owned by Sydney Water, the Pump House and the Valve House, and are still operational, supplying water to the eastern suburbs. The heritage listing also includes the underground pipes associated with these two buildings. The other two heritage listed buildings are on Young Street, one is an electricity substation and the other is currently a commercial building.
 - (e) **Sydney Water operations** – Sydney Water maintenance vehicles must have ongoing 24-hour access to the Pump House and the Valve House. This access also requires allocated parking for vehicles and cranes up to 12 metres in length.
 - (f) **Reservation upgrade/WestConnex** – approximately 2,200 square metres of the Dahua site, at the intersection of Bourke Street and McEvoy Street is zoned for arterial road reservation in Sydney LEP 2012 as shown in Figure 8. The Majesty Properties site at 230-234 McEvoy Street is also affected. NSW Roads and Maritime Services (RMS) is the designated acquisition authority for the reservation. They are currently developing designs to upgrade the intersection to improve traffic flows between the WestConnex portal at Sydney Park and South Dowling Street.

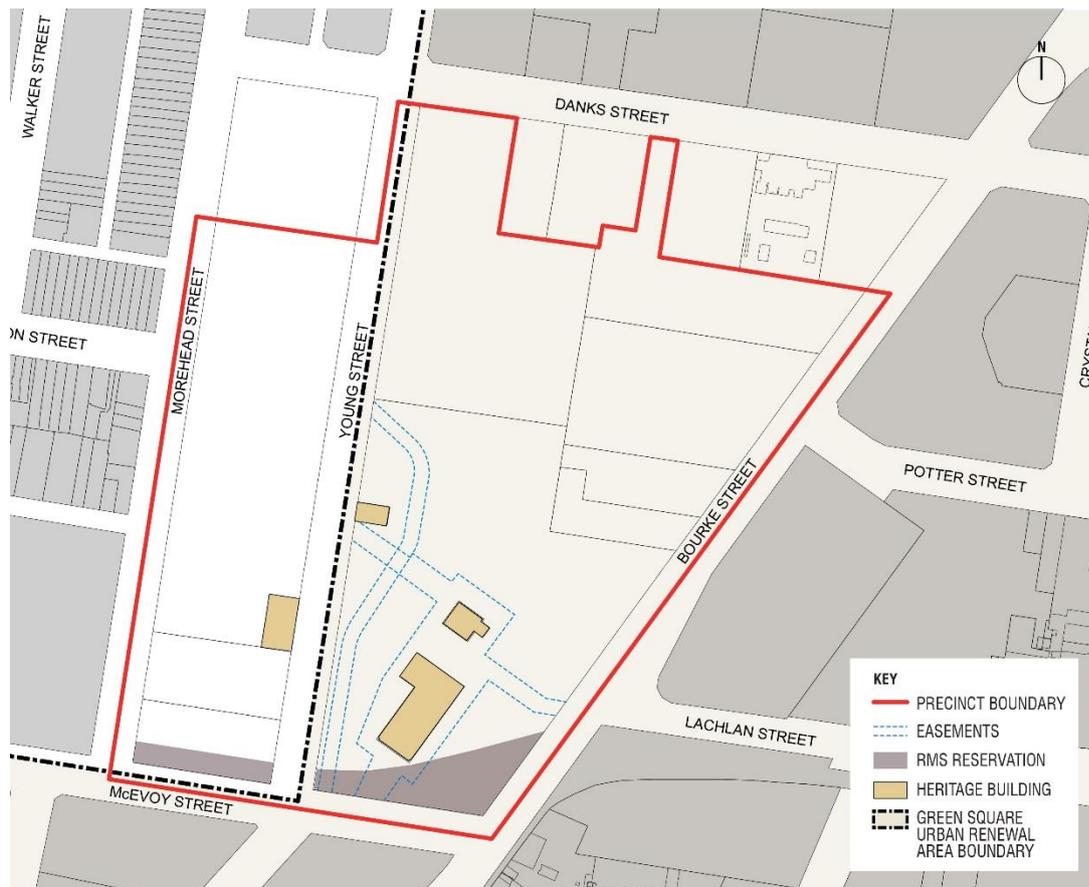


Figure 5: Danks Street South Precinct - Easements and reservations

Current Planning Controls

15. Sydney LEP 2012 applies to the Precinct. The primary controls are:

(a) **Zoning:**

- (i) B2 'Local Centre' (sites with a frontage to Danks Street);
- (ii) B4 'Mixed Uses' (remainder of the precinct); and
- (iii) SP2 Infrastructure (RMS road reservation along McEvoy Street frontage).

(b) **Floor space ratio (FSR):**

- (i) sites west of Young Street, outside of Green Square, have an FSR control of 1.75:1 to 2.0:1;
- (ii) sites east of Young Street have an FSR control of 1.5:1, with an additional 0.5:1 FSR for the provision of Green Square Community Infrastructure; and
- (iii) all sites are eligible for up to 10 per cent additional FSR or height for design excellence.

(c) **Height of buildings:**

- (i) ranging from 15 metres to 22 metres (approximately 4 to 5 storeys).

(d) **Heritage items**

- (i) 903-921 Young Street (Pump House and Valve House and underground pipes, owned by Sydney Water);
- (ii) 198-222 Young Street (electricity substation, owned by Ausgrid); and
- (iii) 241 Young Street (industrial building, privately owned).

16. Sydney DCP 2012 currently provides detailed planning controls, including indicative road alignments, location and size of open spaces, setbacks and building heights in storeys.

Danks Street South Urban Design Review

17. The current planning controls were tested and it was found that only one site could achieve the current permissible FSR within the current permissible height controls, as shown in Table 1. This is because of the extent of easements, which wasn't known at the time the current planning controls were developed, and other constraints including the arterial road reservation, heritage constraints, stormwater culverts and local infrastructure requirements.

Site (see Figure 3)	Site Area ¹	Total GFA	Permissible LEP FSR	Achieved FSR
Strata (industrial)	13,162	15,967	1.75:1	1.21:1
Majesty Properties	3,467	7,268	2.0:1	2.1:1
Jeffman/Red Brest	21,443	26,570	2.0:1 ²	1.24:1
Dahua Group	17,500	5,623	2.0:1 ²	0.32:1
City West Housing ³	2,738	4,889	2.0:1 ²	1.78:1

Table 1: FSRs achieved under current permissible height controls

18. Further testing was undertaken of different built form scenarios to establish appropriate building envelopes to achieve the permissible maximum FSR. A key consideration was to maximise the developable area, particularly on the Dahua site, which is significantly encumbered with easements. Various options were investigated for site layout. Each option was assessed against key factors such as:

- (a) local context and transition to surrounding lower density;
- (b) location of taller buildings, relative to visual amenity and overshadowing;
- (c) appropriate scale of buildings;
- (d) maximising developable area;
- (e) permeability;
- (f) staging;

¹ Site area calculation includes area that cannot be built over and is consistent with site area definition in Sydney LEP 2012, but excludes areas affected by arterial road reservation.

² Permissible LEP FSR includes 0.5:1 FSR available upon provision of appropriate public benefits under the Green Square Community Infrastructure scheme

³ Approved development application

- (g) provision of high quality public domain;
 - (h) proximity to heritage buildings; and
 - (i) easements and reservations.
19. The recommended option is the result of this testing, concluding that given the significant constraints, this option delivers the most acceptable built form, location of streets and open spaces. It also achieves the sites' development potential respecting the local context.

Public Exhibition and Submissions

20. The recommended built form option and public domain layout was translated into proposed controls for Sydney LEP 2012 and Sydney DCP 2012. The Planning Proposal and draft DCP were placed on public exhibition from 2 to 30 May 2017, however due to community interest generated, the exhibition period was extended to 16 June 2017.
21. Exhibition material was made available for viewing at the One Stop Shop, the Green Square and Redfern Neighbourhood Service Centres and the Waterloo Library. The City sent letters to approximately 4,900 local residents and businesses to notify them of the public exhibition. The exhibition was also advertised via the 'Sydney Your Say' eNews newsletter, which is sent to 4,496 subscribers, in the Southern Courier and Central newspapers and on the City's Sydney Your Say webpage. An information session was also held on 18 May 2017 at Danks Street Plaza on Crystal Street, Waterloo, with approximately 300 residents attending.
22. The Gateway Determination required the City to consult with various State agencies, including the Department of Education, Transport for New South Wales (TfNSW), Roads and Maritime Services, Office of Environment and Heritage, Sydney Airport, Sydney Water, and Ausgrid.
23. A large number of local resident submissions were received - 195 responses through Sydney Your Say, 26 individual written submissions (approximately a quarter of which also made less detailed responses via Sydney Your Say) and a petition with 262 signatures.
24. The key issues raised in the local resident submissions relate to density concerns; including traffic congestion, public transport capacity and insufficient supporting social infrastructure and services, and building height concerns; including view loss, overshadowing and privacy. The petition raised objection to the Planning Proposal on the grounds of height, insufficient public transport, and traffic congestion.
25. Some level of support for the proposal was expressed within 105 of the local resident submissions, particularly for the new public parks and plaza, the opportunity to extend cycle and pedestrian links, the commercial and retail uses to be introduced in the Precinct, and the opportunity to inject new life and public access into a currently neglected and restricted area. Six local resident submissions were in full support of the Planning Proposal.
26. Eight landowner submissions were made via consultants, representing: Jeffman/Red Breast, Majesty Property, Dahua, City West Housing, Hillsong Church, the Diversity development, 1 Danks Street and 3-7 Danks Street.

27. The majority of precinct landowners request eligibility for a 10 per cent design excellence floor space bonus, rather than just height as is proposed. Dahua and Jeffman/Red Breast also request further details to be included within the draft DCP to enable the consent authority to determine that a site-specific DCP or Stage 1 development application is not necessary for their sites.
28. Four state agencies also made submissions. TfNSW raised points relating to the traffic assessment which was prepared to support the Planning Proposal. Sydney Water raised issues relating to the proximity of development to its operational buildings and the location of easements in the precinct. Sydney Airport highlighted that the height of the towers would protrude into protected airspace and would be subject to further Federal Government approvals. Finally, the Office of Environment and Heritage expressed general support for the proposals and endorsed the recommendations of the April 2017 Statement of Heritage Impact which supports the Planning Proposal.
29. The key issues arising from the exhibition are discussed in the report below and key changes to the exhibited controls are also detailed. All of the submissions received, together with the City's response, are summarised at Attachment E.

Density

30. Local residents raised significant concerns over the proposed density of the Precinct in terms of the impact that any future increase of residents would have on traffic congestion, public transport capacity and social infrastructure provision.
31. It should be noted that no change to the density is proposed. The FSR in Danks Street South is to remain at 2:1. The Planning Proposal seeks to address the current mismatch between LEP height and FSR controls, given the significant land take for public infrastructure, easements and road reservations in the Precinct, particularly on the Dahua site. The tower heights proposed on the Dahua site do not result in a higher development density than has already been planned for in the redevelopment of the Green Square urban renewal area. Notwithstanding this, a reduction is made to the tower height, as discussed later in this report.

Traffic

32. The majority of local resident submissions raised traffic congestion as an issue in the area that is likely to be significantly exacerbated following redevelopment. A number of submissions also questioned the validity of the findings of the PeopleTrans Transport Assessment (the May 2017 Assessment) that was prepared in support of the Planning Proposal, given that it relied on data from surveys undertaken in May 2015.
33. TfNSW's submission (found in full at Attachment F) also questioned the validity of current and future traffic generation rates, being derived from surveys at incomparable sites (with greater access to public transport) and estimates, rather than surveys, for the current precinct.
34. In response, the City re-engaged PeopleTrans to review their work. In November and December 2017, PeopleTrans carried out intersection counts to capture peak hour traffic volumes in the area and origin-destination surveys to establish existing traffic generation. Traffic surveys of existing comparable sites in the Lachlan Precinct were also undertaken to qualify the traffic generation rates used for Danks Street South following redevelopment.

35. The November/December 2017 peak-hour intersection counts showed similar, if not marginally lower, traffic volumes than those previously observed in May 2015. The operation of intersections presented in the May 2017 Assessment, which demonstrated a "Level of Service" of C ("satisfactory") or better, is considered an accurate representation of the existing conditions.
36. Origin-destination surveys differentiate between traffic originating from or stopping within a locality and traffic just travelling through. These surveys were undertaken for Danks Street South in November/December 2017 and the results compared with the precinct's existing traffic generation in the May 2017 Assessment, which had been estimated using standard RMS traffic generation rates. The existing traffic generation established from these surveys was generally lower than the traffic generation values estimated in the May 2017 Assessment. As such, the May 2017 Assessment represents the worst-case scenario for the precinct. This also means that there is currently more capacity on the road network than factored into the May 2017 analysis.
37. To determine future traffic generation associated with redevelopment of Danks Street South, TfNSW requested surveys of similar sites rather than adopting standard RMS rates, which the May 2017 Assessment had utilised. Four sites in the vicinity (three in Lachlan Precinct and one on Danks Street) were selected as representative comparison sites, having similar levels of access to public transport and being located within the same road network, and therefore likely to display similar private transport behaviours.
38. Surveys were undertaken to establish the number of peak-hour movements from each of these sites. PeopleTrans then examined the results by number of movements per parking space and per dwelling in each development to establish an average number of movements that may be associated with Danks Street South following redevelopment.
39. The results indicate that the residential traffic generation rates adopted by PeopleTrans in the May 2017 Assessment were marginally higher than those established using actual surveys for the four comparable sites.
40. The conclusions of the revised traffic analysis, comparing the existing traffic generation of the precinct with future traffic generation associated with the Planning Proposal, demonstrate that traffic generation is estimated to decrease or stay approximately the same in the future following redevelopment of the precinct.
41. Having undertaken actual surveys to establish the existing and future traffic generation associated with the precinct and its redevelopment, it can be seen that the May 2017 Assessment overestimated both. Undertaking the November/December Origin-Destination surveys and reviewing similar sites in the area has demonstrated that the predicted future traffic generation in the May 2017 Assessment was the more significant overestimation. In addition, the net traffic increase is generally lower than the May 2017 Assessment net increase, showing a net loss of traffic between existing and future use scenarios. As such, it is anticipated that there will be minimal impact on road network and intersection performances associated with the Planning Proposal.
42. Whilst it may seem counter-intuitive for traffic generation to decrease following redevelopment to a seemingly more intensive residential use, the existing commercial land uses are heavily dominated by businesses which generate significant levels of traffic throughout the day as they constantly attract customers and deliveries in and out of the precinct.

43. The traffic generation characteristics of the current land use differ from those of the predominantly residential land use proposed. In comparison to business uses, which attract workers, customers and deliveries, a residential use does not generate as many movements in and out of a site, attracting only residents associated with each development and some visitors. Residents and visitors also have the option of using public transport, where many businesses and their customers and deliveries do not.

Public Transport

44. The majority of local resident submissions raise issues with current public transport capacity and reliability, which are likely to deteriorate further with the introduction of an additional 1,275 homes in the Danks Street South precinct.
45. Residents currently experience overcrowding on buses to the City, with buses frequently passing bus stops in the north of Green Square already full. The walk to Green Square Station from Danks Street is also considered to be unsafe and unpleasant and just far enough away to be inconvenient. Commute times to the City were also raised as approaching extreme, often only slightly faster than walking.
46. Submissions called for an investigation into the current public transport issues and for urgent infrastructure upgrades to serve the rapidly growing population in the area. There are concerns that there are no significant improvements planned within the next 10 years.

Issues with Current Transport System Performance

47. TfNSW and the City investigated, confirmed and quantified the key issues that have been identified by residents and transport customers over a long period, including through the public exhibition of the Planning Proposal. Key issues with train capacity and bus capacity, speed and reliability are evident.
48. City-bound Airport Line trains are generally full before Green Square, and crowding on trains and platforms is affecting the capacity of the whole line.
49. One of the limitations to increasing the number of services on this line is congestion created by numerous other rail lines travelling through or around the City Circle.
50. As a result, many trains arriving at Green Square between 7 and 10am are so full that people on overcrowded platforms cannot board them. This problem is worst between 8 and 9am, where many trains are significantly overloaded, some carrying 180 per cent of their seated capacity. Station staff on occasions have restricted access to platforms to maintain passenger safety.
51. While there are more than 50 bus services in the 8 - 9am peak hour to the City Centre, there is a lack of priority for surface public transport through Green Square and between Green Square and the Sydney City Centre. This reduces the capacity, speed, and reliability of services.
52. There are 2,500 bus journeys from stops in Green Square between 7 and 10am on weekdays, and 60 per cent of these are to the City Centre. However, City-bound buses are often full, so passengers get left behind, especially at the northern Green Square stops.

53. Opal data confirms crowding on buses is significant in Green Square. One of the stops served with the highest proportion of heavily crowded buses is Stop 201738 on Bourke Street north of Danks Street (served by 301-3 and M20 services). Stop 201722 on Elizabeth Street at Waterloo Park is also served by a significant proportion of heavily loaded route 343 services.
54. Buses operate slowly, often at walking pace (as low as 5km/h) on most routes on many sections through Green Square, significantly increasing customer travel time.
55. Buses are also unreliable, especially for lower frequency east-west routes. The most unreliable services are on route 343 going to the City, with services being on average seven minutes late in the peak. There is also significant unreliability for services running along Bourke Street.
56. Reliability is also very poor for east-west route 370 services towards UNSW, with buses often arriving in Green Square 10 minutes late, and falling further behind their schedule within Green Square.
57. Pedestrian and bicycle networks are not complete or need improvement. Important cross-regional cycleway connections to Sydney University (via Newtown) and University of New South Wales are not completed. Some road intersections do not have signalised pedestrian crossings on all legs, and signal phasing can result in long wait times for people walking.
58. Despite active transport networks not being complete, the 2016 Census showed that nine per cent of people in Green Square ride a bike to work. The City's surveys suggest that similar numbers use bikes for trips to education or for other purposes. In 2011, almost 40 per cent walked if their job was located in Green Square.

Green Square and Waterloo Transport Action Plan

59. In December 2017, following requests by the City to renew a partnership with Transport for New South Wales (TfNSW) to develop a staged transport plan for Green Square, the City received a letter from the Minister for Transport and Infrastructure that commits to working with the City to develop an access strategy for Green Square to address critical public transport issues in the short term (five years). The letter is at Attachment G.
60. As a result, the City is working with TfNSW and have jointly funded and collaboratively developed the draft Green Square and Waterloo Transport Action Plan (draft Action Plan). While the draft Action Plan is yet to be finalised, and is not yet available for publication, the City is working with TfNSW to secure endorsement of the full Action Plan by the Minister for Transport and Infrastructure, in 2018.
61. The purpose of the draft Action Plan is to address the pressing existing transport issues currently affecting people travelling to, from and within the Green Square and Waterloo area. It will identify public transport solutions in the 0-5 year planning horizon, when additional rail capacity from the new Metro rail station at Waterloo will be provided.

62. The draft Action Plan tailors proven transport network development strategies to the Green Square and Waterloo problems context, recognising the issues are different in different areas of Green Square and Waterloo. It employs behaviour change, maximising the service levels provided by existing infrastructure and adding additional bus service options. Together, this suite of actions can reduce congestion on peak-period services, providing capacity and resilience necessary to cater for demand until the following opportunities are realised:
- (a) Commencement of CBD and South East Light Rail services in 2020, which enables a bus network with greater emphasis on connections for Green Square and Waterloo. The announcement of new bus services and increased frequencies in November 2018 is the first stage of this evolution of the bus network;
 - (b) Completion of the Eastern Transit Corridor through Green Square in the short term. This will serve the high density areas in the east of Green Square that are furthest from Green Square Station and the future Waterloo Metro Station and offer an additional north-south transit corridor, relieving pressure on Bourke Street;
 - (c) Preparation for the Metro Station at Waterloo in 2024 – this requires the establishment of bus services and active transport routes to provide access to this major transport hub; and
 - (d) Significant re-allocation of road space in Green Square if WestConnex proceeds (around 2023-4).
63. A number of actions in the draft Action Plan will build on the City's existing programs implemented in partnership with Roads and Maritime Services. Subject to funding being agreed, actions include:
- (a) Walking and bicycle connections to Waterloo Metro will be improved.
 - (b) Improved pedestrian crossing opportunities will be provided across Green Square and Waterloo, including a new intersection across Lachlan Street at Gadigal Avenue by 2020.
 - (c) A cycleway connection to University of New South Wales by early 2020.
 - (d) Behaviour change programs will aim for mode shift, or peak spreading to take advantage of spare capacity outside the peaks. These will build on TfNSW's Travel Choices Program and the City's award winning project, "Give Yourself a Lift", in Green Square.
 - (e) 40km/h speed limits will continue to be implemented on local streets, to improve amenity, reduce crash risk and increase the use of walking and cycling.
64. Once endorsed by the Minister, TfNSW and the City will work to further develop the actions in the draft Action Plan to enable their implementation to 2024, including agreed funding. There will be regular reports to the community to update on progress with the Action Plan.
65. The rollout of these short term initiatives is deliberately aligned with long term transport and planning objectives for Green Square and Waterloo, and the longer term transport capacity improvements that will flow from investment in metros, rail and light rail.

66. The Green Square and Waterloo Transport Action Plan - Danks Street Background Paper (Background Paper), at Attachment I, provides some background about how the draft Action Plan has been developed, the evidence base, and what is expected to be included in the draft Action Plan when published. The Background Paper has been prepared by the City to inform Council's consideration of this report.
67. The Background Paper also highlights the announced key actions that specifically relate to and will support the future development of Danks Street South, with the first complement of bus service improvements being announced by TfNSW on 14 November 2018. The related press release is provided as Attachment H and include the announcement of:
- (a) A new bus route 304, connecting Rosebery and Green Square to Circular Quay. This will feature a 12 minute frequency, operating 24 hours a day, seven days a week. It will serve eastern parts of Green Square, including East Village;
 - (b) Additional services on the 343 bus route on Elizabeth Street (approximately 250 metres west of the site), with an 18 percent capacity increase between 7am-8am, and a 16 percent capacity increase between 8am-9am;
 - (c) Improved bus capacity, travel time and reliability, with bus services 301-3 operating to Redfern, via the site of the future Waterloo Metro station. Operating services to Redfern will improve reliability, allow greater frequency, and reduce overall journey times for most trips; and
 - (d) By 2024, Waterloo Metro station will provide 16 trains per hour in each direction, offering a rapid service, with capacity, to the City Centre, Lower North Shore and Macquarie Park. There is opportunity for interchange of bus services in connection with the Metro station, which will be facilitated by the changes to routes 301-3 outlined above

Longer term transport strategy and actions

68. The South East Transport Strategy (Strategy) is TfNSW's place-based plan for the area between Central, the coast and Botany Bay, including Green Square. It addresses a 40-year horizon, with a detailed plan for the 20-year timeframe. It is being developed by TfNSW in consultation with councils and key stakeholders such as Sydney Airport. It will be released in mid-2019. The Strategy will articulate a network development approach, supporting the delivery of key centres and other localities identified in the NSW Government's spatial plans, including the Eastern City District Plan.
69. Key elements of a long term approach have been revealed, with some projects underway, some committed but not commenced, and others undergoing planning at the moment. The following projects are of particular relevance to the Planning Proposal:
- (a) Further increases in service frequency at Green Square (and Mascot) railway stations, as part of the SmartRail program. These could see an increase in services up to 20 trains an hour.
 - (b) Potential further changes to bus services, responding to the introduction of light rail to the south-east. In the longer term, these may aim to capitalise on rail capacity at Mascot, Green Square, Waterloo Metro, Redfern and potentially Central Stations.

- (c) A Metro station at Zetland as part of the Sydney Metro West project. The City has argued that this could be provided as the initial terminus of MetroWest, before extension to the South-East at a later date. It would secure fully-available rail capacity, with services beginning at Green Square.
 - (d) The City has proposed a Green Square Light Rail to the City Centre at Central Station, utilising the Eastern Transit Corridor which is nearing completion. The light rail system would provide additional capacity in the City-Airport corridor.
70. Whilst focussing on the 0-5 year planning horizon, the abovementioned draft Action Plan supports and is consistent with the longer term plans and priorities outlined to address the transport and development challenges in the City-Airport corridor.
71. The draft Action Plan will explicitly begin the transitioning to a more integrated, turn up and go, distributed network in the future. This will minimise the changes that are required when each major transport initiative commences.
72. Once implemented, the broader draft Action Plan will deliver better service and capacity for Green Square and will support the public transport network with active transport initiatives. It provides for the delivery of the short and medium term transport improvements necessary to service existing residents and the future residents of Danks Street South in the likely redevelopment timeframe. In combination, the short and medium term actions and the longer term priorities and plans will deliver improved transport services and choices for the Green Square area.

Social Infrastructure

73. Local resident submissions express concern over the impact that 2000 new residents would have on the community that is establishing in this area of Waterloo, highlighting that more needs to be done to encourage a sense of community. They also highlight the need to ensure the location is liveable, and that there is currently insufficient social infrastructure, such as open space, health care, schools and childcare centres, to support the new and existing population.
74. In response, the City has prepared a social infrastructure appraisal, which can be found at Attachment J. The appraisal investigates if there is sufficient social infrastructure (existing and planned) to accommodate future planned growth within the Danks Street South precinct and wider area.
75. Green Square, including the precinct, is a rapidly changing urban renewal area with a planned growth in population to 61,000 people by 2030. Given that no change in development density for the Danks Street South precinct is proposed, the planned population growth in Green Square, and the infrastructure planned to support this growth, already accounts for the residents who will live in there following its redevelopment.
76. The appraisal identifies planned and existing community facilities, including open spaces, libraries, childcare centres, creative and community facilities, leisure and recreation centres, and schools. It also identifies placemaking and community development projects, including heritage and public art, community events and newsletters, and a range of initiatives to promote use and ownership of the services and facilities.

77. The appraisal identifies that there is significant existing provision of social infrastructure at Green Square and Redfern and a significant additional amount either planned or under construction in the area to complement this. It also highlights that the City continues to advocate for the provision of services and facilities outside of the City's direct control, for example the provision of school places and health facilities.
78. The appraisal demonstrates that the extent of social infrastructure within Green Square and Redfern Village will meet the needs of new residents at Danks Street South, and the wider area, following completion of the Green Square area redevelopment. Ongoing research will also enable the City to monitor the social infrastructure and community needs within the area over time and plan for this accordingly.
79. In conjunction with this work, the City has been working towards an integrated site wide public art and public domain plan which is to guide the provision of public infrastructure within the precinct.
80. Social art practitioners, MAPA Art and Architecture, were engaged to develop a high level public art concept to inform the design of a new public space in consultation with local communities in Green Square and areas adjacent to Danks Street South.
81. A printed flyer outlining the creative research project was distributed to approximately 8,150 residences in Redfern, Waterloo and Zetland, within an area north to Zamia Street, east to South Dowling Street, south to East Village shopping centre, and west to Elizabeth Street.
82. Between April and June 2018, MAPA engaged with local community groups, individuals and businesses immediately adjacent to the precinct about their past, present and future connections to the precinct to develop ideas that can be explored in the public domain design. The artists also conducted an open research week at Artbank (222 Young Street, Waterloo) and met with 64 individuals by appointment and drop in.
83. The community has responded enthusiastically and shared a wealth of memories, insights, ideas that have culminated in a report, 'Open Field Agency: Public Domain and Public Art Strategy for Danks Street South', which contains recommendations for the precinct.
84. Following this first part of the project, and once the Planning Proposal and draft DCP are finalised, MAPA will work with landscape architects to be engaged by the City to develop a public domain concept design for the precinct. The artists' community based creative research will inform this concept design.
85. The draft DCP is amended to make reference to the artist's report and to ensure that the provision of public art and public domain in the precinct reflects relevant public domain plans which are to follow.

Building Heights and Distribution

86. Whilst the majority of local resident submissions expressed support for a predominant building height of 6 storeys across the precinct, there was significant objection raised to the 16 and 20 storey towers. Local residents expressed concern the towers would be incongruous with the remainder of the precinct and within the surrounding area.

87. Residential apartment buildings of similar scale can be found in the immediate vicinity of the precinct, with buildings of up to 15 storeys in the 'Crown Square' development to the south-east of the precinct and up to 20 storeys in the 'Moore Park Gardens' development to the north of Danks Street. An increased tower height in a few key locations within the precinct will have a limited impact. It allows landowners to meet the development capacity on their site while facilitating a more varied and lower scale approach throughout the remainder of the precinct, particularly along its boundaries. This provides for improved public domain and residential amenity both within the precinct and adjoining neighbourhoods.
88. There was also concern in the public submissions that towers of this height could set a precedent on the western side of Bourke Street further into Waterloo. However, it is considered that the towers visually mark the north-western boundary of the Green Square urban renewal area, and, thereafter, the built form transitions down in height towards the one and two storey Waterloo Conservation Area to the west of the precinct.
89. Notwithstanding this, the built form is revised to reduce the height of the second tower from 16 to 12 storeys. A corollary of this is a larger floor plate for the podium building underneath.
90. Built form testing has shown that it is not possible to also reduce the height of the 20 storey tower without reducing the development capacity on the site, as the redistributed floor space results in a poorer quality public domain and is not able to comply with relevant NSW Apartment Design Guide or Sydney DCP 2012 requirements.
91. A number of further changes are made to the built form layout on the Dahua site in response to submissions. Sydney Water's submission highlighted additional easements in the western part of the site which may not be built over. The footprint of the building to the immediate west of the Pumping Station is significantly reduced as a result. The two small four-storey buildings immediately north of the Valve House are also deleted to create a stronger link between the central public park and the 'heritage' plaza created around the Pumping Station and Valve House. This change responds to recommendations in the Statement of Heritage Impact, prepared in April 2017 to support the Planning Proposal, which were endorsed by the Office of Environment and Heritage's submission.
92. As a result of these changes, floor space is redistributed to the podium under the 12 storey tower, which becomes larger in footprint, and to the two towers, which are also increased in footprint.
93. The differences between the exhibited and revised built form layout are shown in Figures 6 below.



Figure 6: Proposed built form and public domain layout on the Dahua site, as exhibited on the left and following exhibition on the right. [N.B. - images provided in this report are to aid comparisons and are not necessarily presented at the same scale]

94. Some minor amendments throughout the precinct are also made to ensure compliance with Apartment Design Guide building separation requirements, following detailed testing of the built form layout and envelopes. The central public open space has also been increased in size, from 2,350 to 3,900 square metres, to improve amenity within the precinct and provide a greater recreational resource for the community. This has narrowed the street blocks to the park's immediate west and results in some minor changes to the building envelopes on these blocks (see Figure 6 above).
95. A four-storey building to the immediate west of 1 Danks Street is removed following submissions from residents about its impact on their amenity and privacy in the adjacent building. The development on this site is also pulled further back from the Young Street frontage to accommodate existing large street trees. This floor space is relocated in a taller 8 storey building on the corner of Young Street and the new east-west street.
96. Further development yield testing also revealed that in order for the building envelopes on the Lawrence Dry Cleaners site to achieve a 2:1 FSR, a two storey increase, from 6 to 8 storeys, was required for part of the building envelope located to the east of the Danks Street through-site link.
97. Submissions raise concern about the transition of building heights to the two storey terraces on the western side of Morehead Street, north of Brunswick Street. The exhibited built form proposed a 4 storey building, setback from a 3 storey street frontage. In response to submissions, the built form layout is revised so that the portion of the building which is opposite the run of terraces has a maximum height of 3 storeys. This outcome is also recommended in the Statement of Heritage Impact prepared on behalf of the City to support the Planning Proposal.
98. The urban design study which shows the progression of urban design work in the precinct is also updated to reflect the changes to building envelopes and built form layout. It is shown at Attachment K.

View Loss

99. Residents of the Diversity development in the Lachlan precinct (see Figure 3) raise concerns about loss of city skyline view associated with the proposed towers. Whilst the Department of Housing towers, known as "Poet's Corner" at Young Street, Redfern already obscure some city views, Centrepont Tower and World Square Tower are currently visible from Diversity.
100. A view analysis was prepared by a consultant for the City which examined the impact on views from the Diversity development under the exhibited and revised building layout on the Dahua site.
101. The analysis shows that any development of 10 storeys or greater in the tower locations (or higher than approximately 8 storeys along the Bourke Street frontage) would obscure much of the city skyline view from the Diversity development.
102. The analysis also demonstrates that some views of the western City skyline, including the World Square tower, will still be enjoyed following redevelopment under the exhibited built form layout and the revised scheme.
103. Whilst the gap between the towers is perceived to be closed when viewed from Diversity in the revised layout, thereby obscuring City views at this point, the analysis found that in the exhibited tower arrangement, the visual gap between the two towers is already obscured to a greater extent by the existing towers at Poets Corner.
104. Some views towards the eastern City skyline are retained in both the exhibited and the revised layout.
105. Whilst it is acknowledged that there will be some impact on City views from the Diversity development associated with tall buildings on the Dahua site, given that the Green Square area will undergo significant redevelopment and intensification of built form over the next 15 years, it will not always be possible to safeguard views of buildings already constructed.
106. These are not protected view corridors in the City's planning controls. The benefits that will be delivered as a result of redevelopment of the precinct, including the provision of housing, open space, infrastructure and services, are considered to outweigh the loss of views.

Design Excellence

107. The Planning Proposal includes a new LEP clause which specifies that any building in the precinct demonstrating design excellence is eligible for 10 per cent additional building height only, and not be eligible for 10 per cent additional FSR, as it otherwise might be under the City's design excellence provisions in Sydney LEP. The draft DCP defines the maximum number of storeys inclusive of the design excellence bonus.
108. Submissions received from some landowners raise objection to this design excellence approach and request that they also be eligible to nominate additional FSR as their preferred bonus where design excellence has been achieved.

109. The City has undertaken further urban design work to test the opportunities for and implications of incorporating an additional 10 per cent FSR within these sites. This testing demonstrates that built form at this density should not be supported because it results in a poor pedestrian environment due to an overall increase in scale. It also results in an inappropriate transition with the Waterloo conservation area, and inadequate solar access within the public domain, particularly the central public open space, which can no longer comply with the Sydney DCP 2012 requirement for 4 hours of sunlight to 50 per cent of the total area between 9am and 3pm on 21 June. As a result, this amendment requested by the landowners is not supported and has not been included in the amended planning proposal.
110. Post exhibition, figures are included in the draft DCP to clarify the height achievable should design excellence not be demonstrated.

Stage 1 Development Application Requirements

111. Clause 7.20 of Sydney LEP details circumstances when a site-specific development control plan is required. It stipulates that a DCP is required, amongst other criteria, if a site's area is greater than 5,000 square metres or development will result in a building with a height greater than 25 metres. These criteria capture the majority of sites within the Danks Street South precinct. This essentially requires future developers in the precinct to undertake a staged development application process.
112. Given the existing level of detail on built form outcomes contained in the draft DCP, some landowners request that Council treat the draft DCP as a site-specific DCP for the purposes of clause 7.20, to allow development to proceed without preparation of a further site-specific DCP or concept development application.
113. Clause 7.20 lists 14 elements that would need to be addressed in a site-specific DCP, including built form issues, environmental impacts and public domain. Whilst the draft DCP covers most of the 14 elements, additional detail would be required around the suitability of land for development, the relationship of the development with the public domain and the provision of public art. Additionally Council's design excellence policy, which also applies to sites captured by Clause 7.20, requires a design excellence strategy to be submitted for approval with a concept development application.
114. Given the significant contamination risk created by the current dry cleaning operations at 887-893 Young Street, the site is a "notified contaminated site" under regulation by the NSW Environmental Protection Authority. Without a detailed decontamination and remediation strategy for the site, it is not possible to demonstrate the suitability of the land for development at this point. The appropriate development pathway for this site is considered to be a staged development application process which covers these issues, together with a detailed design excellence and public art strategy, at the concept development application stage.
115. Dahua has gone to significant effort to provide the City with the additional information needed to satisfy concept development application requirements in relation to the site at [address], culminating in the preparation of a site-specific design excellence strategy, public art strategy and detailed public domain interface provisions. This additional information has been incorporated in the draft DCP and a draft voluntary Planning Agreement has been prepared to secure the delivery of public benefits on the site. Further details on this are provided below.

116. Whilst the decision to waive the requirement for a concept development application is ultimately made by the consent authority at the point of considering a detailed development application, the additional detail in the draft DCP generally would enable the Dahua site to be treated as a site-specific DCP for the purposes of clause 7.20.

Voluntary Planning Agreement - Dahua Site

117. Section 7.4(1)(a) of the Environmental Planning and Assessment Act 1979 (the Act) enables a proponent to provide a material public benefit through entering into an agreement with a planning authority. A planning agreement is the legal mechanism for securing public benefits. Planning agreements are voluntary and must be freely entered into by a planning authority and a landowner. They are also publicly exhibited and held on a publicly accessible register.
118. The City received a public benefit offer from Mecone on behalf of their client Dahua Group dated 9 October 2018, relating to the dedication and embellishment of land for new public infrastructure on the Dahua site.
119. The public benefit offer proposes:
- (a) The dedication and embellishment of land for:
 - (i) Footway widening to Bourke and McEvoy Streets;
 - (ii) Through site links and public square surrounding the heritage listed Sydney Water Valve House;
 - (iii) New public streets and shared zones;
 - (iv) Plaza in stratum (basement below); and
 - (v) 1,411 square metres of new public park; and
 - (b) A monetary contribution towards community infrastructure in the Green Square Town Centre, where there is additional floor space sought under Clause 6.14 of Sydney LEP 2012, where not expended on the land dedications and embellishment works identified above.
120. A draft Planning Agreement and explanatory note has been prepared and the terms agreed to by the developer, shown at Attachment L. The effect of the proposed agreement is to secure the public benefits connected with the planning proposal and draft DCP, insofar as they apply to the Dahua site, and ensure their delivery in a timely manner with the development of the site.
121. Public exhibition of the Planning Agreement and explanatory note commenced on 1 November 2018 for a period of 28 days, in accordance with the Act.
122. At the time of writing this report the Planning Agreement was still on public exhibition, however Councillors will be notified of any submissions received prior to consideration of this report at a Council meeting.
123. The proposed amendment to Sydney LEP 2012 will not be made until the Planning Agreement is executed and registered on the title of the land.

- (b) Only additional building height is to be awarded for demonstrating design excellence and not additional FSR.

127. The Planning Proposal, as amended following public exhibition, is at Attachment A.

Changes to the draft DCP amendment following exhibition

128. The draft amendment to Sydney DCP 2012 provides detailed guidance on matters including building heights, setbacks, type, modulation and articulation to respond to and reinforce public spaces, streets and prominent locations. It also includes specific design requirements for the design of the public domain and the competitive design process.
129. Following the public exhibition, the proposed public domain and built form layouts are amended in response to amenity, privacy and tower height concerns, additional easements, Apartment Design Guide compliance, relationship with heritage items and the conservation area, and street trees.
130. The key changes, summarised in Figure 11 (and identified respectively), are:
- (a) a larger local park in the centre of the precinct (D), which increases in size from 2,350 to 3,900 square metres, in order to maximise the amenity and liveability of the precinct;
 - (b) a reduced tower height for the southernmost tower (G), from 16 storeys to 12 storeys, in response to concerns about height;
 - (c) deleted building envelopes in response to submissions from Sydney Water (F) and Office of Environment and Heritage (H);
 - (d) increased podium footprints as a result of the building deletions in (c) above at (E) and (G);
 - (e) a two storey height increase at (B) and (C) to accommodate re-distributed floor space, addressing amenity, privacy, solar access and street tree concerns; and
 - (f) a one storey reduction in height at the north of the precinct fronting Morehead Street (A) to achieve a better transition to Waterloo Conservation Area.



Figure 11: Post-exhibition changes to the building heights and envelopes in the draft DCP. [N.B. - images provided in this report are to aid comparisons and are not necessarily presented at the same scale]

131. Additional detail is provided for the design of the public domain, reflecting the conceptual work undertaken by MAPA, and requirements relating to staging, heritage, contamination and noise. Detailed design excellence and public art strategies are also included for the Dahua site to satisfy concept development application matters.
132. Revisions have also been made to the general order and structure of the draft DCP to assist with clarity and ease of reading.
133. The draft DCP, as amended following public exhibition, is at Attachment B.
134. If approved, the proposed amendments will unlock the redevelopment potential of the precinct, which is close to existing and future infrastructure, retail, recreation opportunities, publicly accessible open spaces and new community facilities.
135. The proposed amendments will also ensure the future development of the precinct responds appropriately to the surrounding context and provides high residential amenity.
136. Redevelopment will deliver major new public domain areas – open space and permeable streets – and significant contributions to the Green Square affordable housing scheme.

Key Implications

Strategic Alignment - Greater Sydney Region Plan

137. The Greater Sydney Region Plan (Regional Plan), completed in March 2018, is a State Government strategic document that sets the 40 year vision and 20 year plan for all of Greater Sydney. The Plan outlines how Greater Sydney will manage growth and change and guide infrastructure delivery, and is to be implemented at a local level by District Plans.
138. The Regional Plan identifies key challenges facing Greater Sydney, which is forecast to grow from 4.7 million people to 8 million people by 2056. Greater Sydney must provide for an additional 817,000 jobs by 2036 and will need to provide 725,000 more homes over the next 20 years.
139. The Planning Proposal is consistent with the relevant objectives and planning priorities of the Regional Plan as follows:
 - (a) Liveability Objective 10: Greater housing supply. By facilitating the delivery of 1,275 new homes, supported by planned and existing local infrastructure and located close to several existing and proposed public transport modes, the Planning Proposal will help to achieve "more housing in the right locations" and help the City to achieve its share of the Region's housing targets.
 - (b) Liveability Objective 12: Great places that bring people together. This Planning Proposal and accompanying draft DCP incorporate the principles of "place-based planning", including a well-designed built environment, a fine grain urban form, a walkable precinct connected with other neighbourhoods and services, and social infrastructure provision to promote social interaction and connections.
 - (c) Sustainability Objective 31: Public open space is accessible, protected and enhanced. By transforming a currently neglected and restricted area through the delivery of 6,800 square metres of new public open space, this Planning Proposal and accompanying draft DCP addresses the requirement for urban renewal to deliver high quality open space to meet a range of community needs.

Strategic Alignment - Eastern City District Plan

140. The Eastern City District Plan (District Plan), published in March 2018, sets the local planning context for the City of Sydney local government area. It provides a 20-year plan to manage growth and achieve the 40-year vision of the Greater Sydney Region Plan at a district level and is a bridge between regional and local planning.
141. As part of a Greater Sydney metropolis of three cities, the eastern district covers the council areas of Bayside, Burwood, Canada Bay, City of Sydney, Inner West, Randwick, Strathfield, Waverley and Woollahra.

142. The District Plan identifies 22 planning priorities and associated actions that are important to achieving a liveable, productive and sustainable future for the district, including the alignment of infrastructure with growth. This planning proposal gives effect to these planning priorities and actions as follows:
- (a) Liveability Planning Priority E3: Providing services and social infrastructure to meet people's changing needs. This Planning Proposal will assist with the delivery of services and infrastructure needed to support growth. 6,800 square metres of new public open space will provide for formal, informal, passive and active recreation opportunities and spaces for community events, whilst new retail and commercial opportunities within the precinct will provide services for the existing and new population.
 - (b) Liveability Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities. This Planning Proposal and associated DCP amendment will help to deliver walkable streets and safe pedestrian and cycling connections through currently inaccessible and large landholdings, and recreation spaces that will encourage greater physical activity and social connection.
 - (c) Liveability Planning Priority E6: Creating and renewing great places and local centres, and respecting the District's heritage. This Planning Proposal will renew and add to the character of this locality, based on fine-grain urban form, social infrastructure and a well-designed built environment. The proposed development respects the precinct's heritage items and has an appropriate relationship with the adjacent Conservation Area.
 - (d) Sustainability Planning Priority E18: Delivering high quality open space. This Planning Proposal will facilitate the delivery of new public open space by balancing the precinct's development potential with the provision of social infrastructure.
 - (e) Sustainability Planning Priority E20: Adapting to the impacts of urban and natural hazards and climate change. The Bourke Street and McEvoy Street frontages are busy roads which give rise to the potential urban noise impacts. The built form layout proposed in the DCP amendment addresses this potential hazard through single-aspect, narrow building envelopes and non-residential uses in areas likely to be most affected.

Strategic Alignment - Sustainable Sydney 2030 Vision

143. 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 strategic directions and objectives:
- (a) Direction 4 - A City for Walking and Cycling - The draft DCP requires the provision of a three metre wide setback along Bourke Street to complement the existing shared pedestrian/cycleway on Bourke Street. In addition, new streets will be designed to encourage only local traffic with an emphasis on shared zones. The draft DCP also provides for a pedestrian and cycle connection from local retail and services in Danks Street to McEvoy Street.

- (b) Direction 6 - Vibrant Local Communities and Economies - The residential component of the precinct will deliver dwellings immediately adjacent to a range of goods and services, employment opportunities, transport and social infrastructure. The future residential population will support the wider Green Square local economy. The commercial/retail component of the building at the intersection of Bourke and McEvoy Streets will provide new retail opportunities, further activating the area with an additional focal point for the local community and strengthening the local economy. The new retail will support and complement the local centre function of Danks Street.
- (c) Direction 8 - Housing for a Diverse Population - Redevelopment of the precinct will deliver approximately 1,275 market dwellings of different sizes, catering for a diverse range of future residents. It will also contribute towards delivery of affordable housing through the current Green Square Affordable Housing Program.
- (d) Direction 9 - Sustainable Development, Renewal and Design - The proposed planning controls are based on principles that seek to achieve sustainable renewal. These include, for example, ensuring that built form delivers high levels of amenity for residents, fine-grain street grid and built form, and Water Sensitive Urban Design for the public domain. The design excellence provisions of Sydney LEP 2012 will continue to apply to the precinct, ensuring a high quality architecture and public domain.

Budget Implications

144. There are no budget implications. The provision of the precinct's new streets, plazas and parks will be delivered through Section 7.11 contributions and the Green Square Community Infrastructure scheme. It is anticipated that these will be set out in future planning agreements between Council and landowners, as is currently being undertaken for the Dahua site.

Relevant Legislation

145. Environmental Planning and Assessment Act 1979.
146. Environmental Planning and Assessment Regulation 2000.

Critical Dates / Time Frames

147. To improve the plan-making process, the then Minister for Planning delegated his plan making powers under the then Section 59 of the Environmental Planning and Assessment Act 1979 to Council in December 2012.
148. On 1 February 2017, the Department of Planning and Environment issued a Gateway Determination to allow public exhibition of this Planning Proposal.
149. An alteration to the Gateway Determination was issued by the Department on 7 December 2018 extending the timeframe for finalising the Planning Proposal until 8 August 2018.

150. The Gateway Determination, provided at Attachment D, authorises Council to liaise directly with Parliamentary Counsel to draft and make the local environmental plan under delegation, giving effect to the Planning Proposal.
151. If the Planning Proposal is approved by Council and the CSPP, the City will commence this process. Once this process is complete and the plan is made, the amendment to Sydney LEP 2012 will come into effect when published on the NSW Legislation website.
152. If approved by Council, the draft DCP will come into effect on the same day as the amendment to Sydney LEP 2012.
153. The Planning Agreement is to be executed and registered on title prior to the finalisation of the amendments to Sydney LEP 2012 and Sydney DCP 2012.

GRAHAM JAHN, AM

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