

## Item 5.

### **Post Exhibition - Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

**File No:** X009371

#### **Summary**

In December 2017, Ethos Urban planning consultants on behalf of the landowner, Maville Park Pty Ltd, submitted a request to amend the planning controls for 12-22 and 24 Rothschild Avenue, Rosebery (the site).

The site is located in North Rosebery within the Green Square Urban Renewal Area (Green Square). To date, development within the area has included the delivery of mixed use, predominantly residential, buildings with retail and commercial uses. The City of Sydney continues to deliver on its vision for Green Square, with controls that permit housing and workplaces for a diverse and growing population while ensuring development is sustainable, innovative, and respectful of existing neighbourhoods.

This report follows the public exhibition of Planning Proposal: 12-22 and 24 Rothschild Avenue, Rosebery (planning proposal). It discusses the matters raised in the public exhibition and recommends Council approve the planning proposal and request the Minister of Planning make the local environmental plan. It also recommends the approval of the Sydney Development Control Plan 2012: 12-22 and 24 Rothschild Avenue, Rosebery (draft DCP).

In September 2018, Council and the Central Sydney Planning Committee (CSPC) resolved to seek gateway determination to publicly exhibit the proposed planning controls for the site. The site comprises two individual development lots, with the lot to the south containing a locally listed heritage item, and the lot to the north being the location of future development. The planning proposal is to:

- decrease the maximum building height on the heritage site from 22 metres to 9 metres;
- increase the maximum building height on the development site from 22 metres to 29 metres fronting Rothschild Avenue and 27 metres fronting Mentmore Avenue;
- transfer available floor space from the heritage site to the development site by decreasing the FSR on the heritage site from 1.5:1 to 1:1 and increasing the mapped FSR on the development site from 1.5:1 to 1.75:1; and
- require all floor space in the heritage building be used for non-residential purposes.

The changes will facilitate the retention and protection of the heritage building in its current form and the adaptive reuse of the building for over 2,000 square metres of commercial, retail or office floor space. It will facilitate the delivery of a new mixed use development comprising about 180 dwellings and retail space, separated from the heritage listed warehouse by a six-metre publicly accessible heritage curtilage.

A Gateway Determination was issued by the Department of Planning, Industry and Environment (Department) on 5 November 2018. It requested the City provided additional information detailing the urban design testing undertaken and demonstration that future development is able to achieve the amenity standards of the Apartment Design Guide. Following the provision of the requested information, the City received Approval to Exhibit the planning proposal on 18 January 2019. The Gateway Determination and Approval to Exhibit is at Attachment D.

The planning proposal and draft DCP were exhibited for 28 days from 6 March 2019 to 3 April 2019. The City received 27 resident submissions and responses from three public authorities who advised they had no objection to the proposal.

Issues raised include overdevelopment and excessive density, building heights, traffic congestion, erosion of local character and road network issues. A summary of submissions, and the City's response is at Attachment F, and issues are discussed further in this report.

Council is not authorised to exercise delegation to make the local environmental plan. If approved by Council and the CSPC, the planning proposal will be forwarded to the Department with a request to draft and publish the local environmental plan. The draft DCP will only come into effect when the plan is published.

## Recommendation

It is resolved that Council:

- (A) note the matters raised in response to the public exhibition of Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery and Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue, Rosebery as shown at Attachment F to the subject report;
- (B) approve Planning Proposal 12-22 and 24 Rothschild Avenue, Rosebery as shown at Attachment A to the subject report, to be made as a local environmental plan;
- (C) approve the Draft Sydney Development Control Plan - 12-22 and 24 Rothschild Avenue, Rosebery, shown at Attachment B to the subject report, noting the approved development control plan will come into effect on the date of publication of the subject local environmental plan; and
- (D) delegate authority to the Chief Executive Officer to make any minor variations to Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery and Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue Rosebery, to correct any minor errors prior to the finalisation of the local environmental plan and development control plan.

**Attachments**

- Attachment A.** Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery
- Attachment B.** Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue, Rosebery
- Attachment C.** Resolutions of Council and the Central Sydney Planning Committee
- Attachment D.** Gateway Determination, Letter to Council and Approval to Exhibit
- Attachment E.** Schematic Design Testing
- Attachment F.** Summary of Matters Raised in Submissions

## Background

1. This report recommends Council's approval of Planning Proposal 12-22 and 24 Rothschild Avenue, Rosebery (the planning proposal), at Attachment A to be made as a local environmental plan. It follows public exhibition and review of the proposal. The planning proposal amends the floor space ratio (FSR), height control and introduces active frontages to 12-22 and 24 Rothschild Avenue, Rosebery (the site) in the Sydney Local Environmental Plan 2012 (Sydney LEP 2012).
2. This report also seeks Council approval of Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue, Rosebery (draft DCP), at Attachment B. The draft DCP contains more detailed planning controls for the development of the site.
3. At their September 2018 meetings, Council and the Central Sydney Planning Committee (CSPC) approved the planning proposal to seek gateway determination and public exhibition. Council approved the draft DCP for public exhibition at that time. The Council and CSPC resolutions are at Attachment C.
4. The Department of Planning, Industry and Environment (Department) issued a Gateway Determination for the planning proposal on 5 November 2018. Following the provision of the urban design testing undertaken by the City, at Attachment E, the Department provided Approval to Exhibit the planning proposal on 18 January 2019. The Gateway Determination and Approval to Exhibit is at Attachment D.
5. The planning proposal was publicly exhibited in accordance with the Gateway Determination and Approval to Exhibit from 6 March 2018 to 3 April 2018. The draft DCP was exhibited with the planning proposal.
6. The City received 27 submissions from local residents. A summary of all submissions, and the City's response, is at Attachment F. Key issues raised in the submissions are discussed later in this report.

## Site details and context

7. The planning proposal relates to two separate sites, shown in Figure 1:
  - (a) Lot 1 DP 314957, Lot 5 DP 309149, Lot A DP 322620, Lot B DP 308922, Lot 408 DP 315228, known as 12-22 Rothschild Avenue, Rosebery, identified as 'Site D' and
  - (b) Lot 1 DP 456612, Lot 2 DP 456612, Lot 410 DP 7534, Lot 456 DP 7534, known as 24 Rothschild Avenue, Rosebery, identified as 'Site H'.



**Figure 1:** Land affected by this Planning Proposal

8. The land has a total area of approximately 8,403 square metres. The sites are shown outlined in Figures 2 and 3. Photos of the site are at Figures 4 and 5.
9. The northern site, 'Site D', currently comprises three interconnected buildings which accommodate office uses and associated open-air at grade car parking. The southern site, 'Site H', 24 Rothschild Avenue contains a two-storey inter-war warehouse style building, which is a local heritage item identified under the Sydney LEP 2012.
10. The site has frontages to Rothschild Avenue to the east, Cressy Street to the south and Mentmore Avenue to the west. A section of a future through-site link adjoins the sites along the north boundary and a recently completed residential apartment building directly adjoins the sites on the other side of the through-site link.
11. The site is generally flat with a slight slope towards the south-west corner, resulting in a risk of flooding along the eastern frontage during significant weather events.



Figure 2: Site location and context

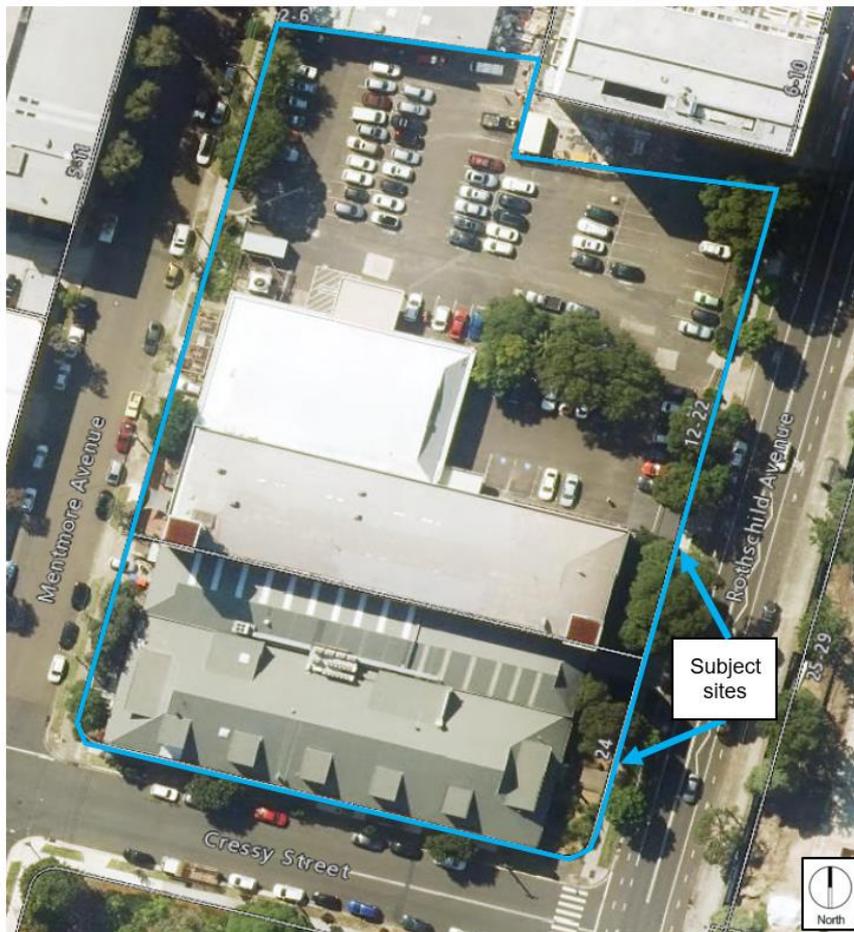


Figure 3: Aerial image of the site.

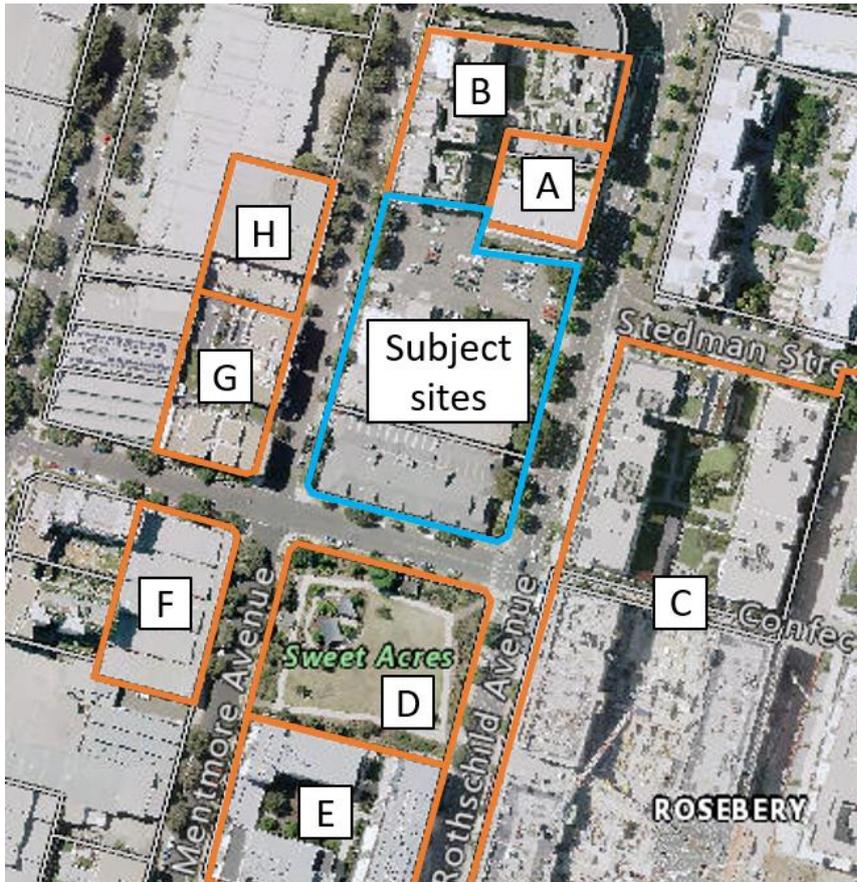


**Figure 4:** View looking north-east showing the existing heritage building on the south-east corner of the site, at Cressy Street and Rothschild Avenue.

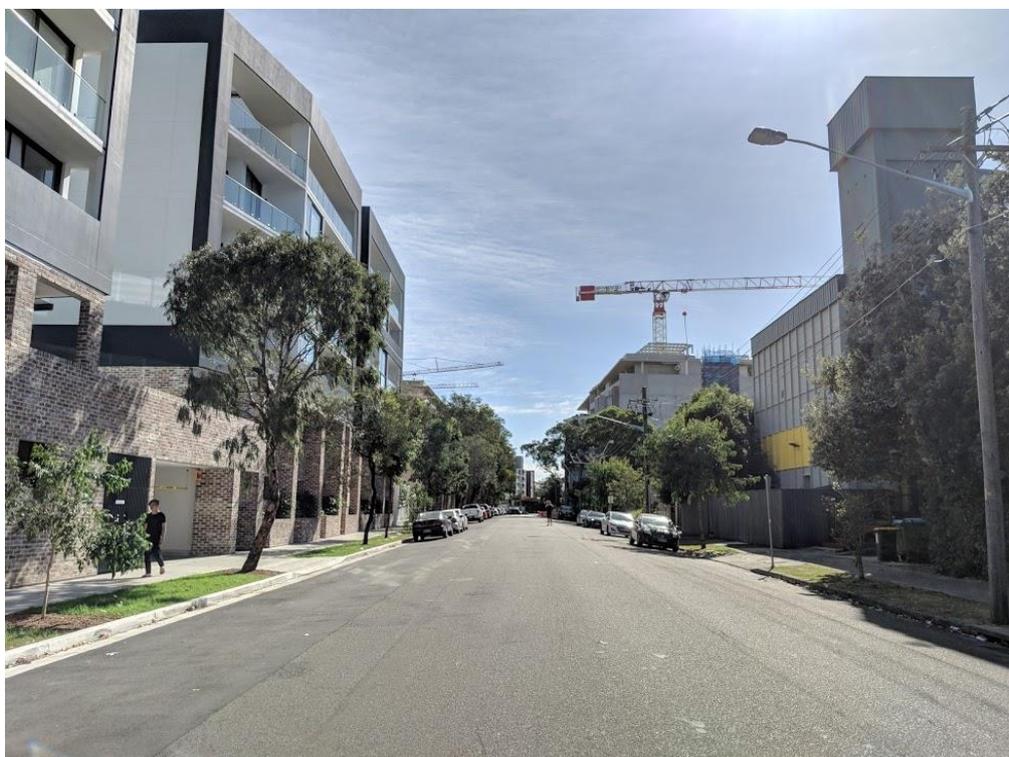


**Figure 5:** View looking north-west towards the subject site and the existing heritage item at Cressy Street and Mentmore Avenue.

12. Approximately one kilometre to the north-west of the site is the Green Square Town Centre (Town Centre) and Green Square train station. Other transport connections include several nearby bus stops located on Rothschild Avenue, that connect the area with Central Sydney, Redfern, Bondi Junction, Mascot and Kingsford.
13. The site is located within the Green Square Urban Renewal Area (Green Square). The area is under transition from former industrial uses to mixed-use developments that include ground floor retail and commercial uses and residential uses. The majority of the land has been redeveloped, however a number of projects are currently under construction or are yet to commence.
14. The site is surrounded by the following development, referenced by Labels A-H in Figure 6:
  - (a) North - Adjoining the sites to the north-east is an eight storey mixed-use building including ground floor retail uses and the completed eastern section of the through-site link ('A' in Figure 6). An eight storey building ('B') immediately adjoins the subject sites to the north-west and includes 100 residential apartments (Figure 7).
  - (b) East - a large redevelopment site is under construction for 14 buildings ('C') comprising residential apartments, child care centres, retail uses and the provision of private open space, new roadways and several through-site links. Of this development, a seven storey building fronting Rothschild Avenue has been completed (Figure 8).
  - (c) South - Sweet Acres Park is located opposite the site fronting Cressy Street ('D'), to the south of the park is a part nine storey, part six storey mixed-use development including residential apartments and retail uses fronting Rothschild Avenue ('E'). To the south-west of the site is a single storey industrial warehouse ('F'). The site however has approval for a six storey residential apartment building that has yet to commence construction works.
  - (d) West - A six storey residential apartment building is located opposite to the site fronting the intersection of Mentmore Avenue and Cressy Street ('G'). Local heritage item Mentmore House is adjacent to this site and has been adaptively reused for office use ('H').



**Figure 6:** Aerial view of the subject sites and surrounding development (Labels A - H).



**Figure 7:** View looking north along Mentmore Avenue at the intersection with Cressy Street, showing adjoining residential development and the subject site on the right.



**Figure 8:** View looking south along Rothschild Avenue adjacent to the intersection with Stedman Street, showing adjoining residential development and the subject site to the right.

### Exhibited planning controls

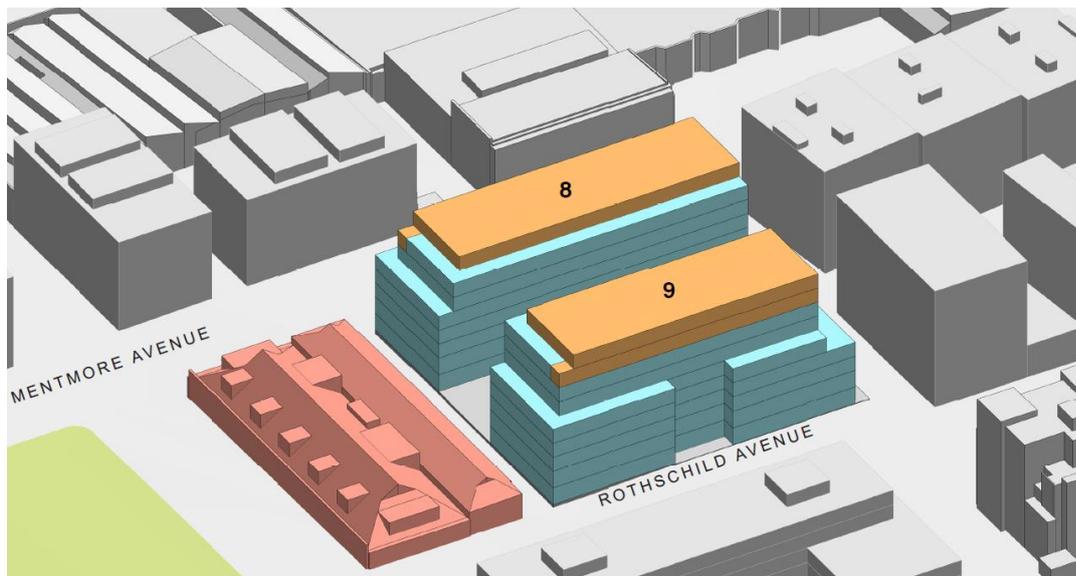
15. The planning proposal at Attachment A has been prepared by the City in response to a request from the land owner. It seeks to amend the Sydney LEP 2012 to increase building heights on Site D, reduce building heights on Site H and redistribute floor space across the sites to facilitate:
  - (a) on Site H, the protection of the heritage warehouse in its current form, to include 2,000 square metres of commercial office space, and improvement of the heritage curtilage; and
  - (b) on Site D, a mixed use development comprising about 180 dwellings and retail frontage to a through site link at the north of the site.
16. The planning proposal facilitates the following changes to the Sydney LEP 2012:
  - (a) amendment of the Building Height Map as follows:
    - (i) from 22 metres to 29 metres for Site D fronting Rothschild Avenue, to facilitate a eight storey built form, and nine storeys where design excellence is demonstrated;
    - (ii) from 22 metres to 27 metres for Site D fronting Mentmore Avenue, to facilitate a seven storey built form, and eight storeys where design excellence is demonstrated; and
    - (iii) from 22 metres to nine metres for Site H, to retain the height of the heritage building.

- (b) amendment of the FSR Map as follows:
  - (i) on Site D, from 1.5:1 to 1.75:1 for Site D, with an additional 0.5:1 FSR available for the provision of Green Square Community infrastructure floor space; and
  - (ii) on Site H, from 1.5:1 to 1:1 and removing the potential for the additional 0.5:1 FSR available for the provision of Green Square Community infrastructure floor space.
- 17. It is noted the planning proposal facilitates the reorganisation of the floor space available across the two sites. There is no net increase in floor space.
- 18. The planning proposal also seeks to amend Part 6, Division 5 Site Specific Provisions of the Sydney LEP 2012 to insert a site-specific clause, to:
  - (a) require that only non-residential floor space can be provided on Site H. This is to ensure the heritage listed warehouse is not adversely impacted by future development;
  - (b) ensure Clause 6.14 - Green Square Community infrastructure floor space no longer applies to Site H. This is because no community infrastructure is required on Site H; and
  - (c) ensure Clause 6.21(7) - Design excellence bonus no longer applies to Site H. This site is not be subject to substantial future development.
- 19. The draft DCP, at Attachment B, which was publicly exhibited with the planning proposal, includes more detailed site-specific planning provisions relating to the location of land uses, communal open space, active street frontages, building configuration, street wall heights, setbacks, and a design excellence strategy.
- 20. The draft DCP provisions are to be included in 'Section 6 - Specific Sites' of the Sydney DCP 2012. Associated amendments to maps are also proposed.
- 21. Clause 6.21(7) of Sydney LEP 2012 specifies that an additional 10 percent FSR is permissible where design excellence is demonstrated through a competitive design process.
- 22. Design Excellence Strategy provisions are included in the draft DCP. If the draft DCP is adopted, the Design Excellence Strategy will be approved by the consent authority as part of the draft DCP. Council approval of the Design Excellence Strategy is a requirement of the City of Sydney Competitive Design Policy. Approval of the Design Excellence Strategy will enable the proponent to progress to a competitive design process without submitting a concept development application.
- 23. Following the public exhibition the draft DCP was amended to correct minor errors in relation to the Design Excellence Strategy provisions. The draft DCP was also amended to further clarify the building setback controls, ensuring sufficient landscaped setbacks are provided irrespective of the ground floor use.

24. The planning proposal, shown at Attachment A, includes additional information in response to feedback from the Department. No further changes are proposed following exhibition. The amended draft DCP is shown at Attachment B with additions are shown in bold and italics and deletions are struck-through. Except for the corrections described above, no further changes are proposed following exhibition.

### Proposed Scheme

25. The proposed scheme that will be facilitated by the planning proposal has been prepared following thorough urban design testing undertaken by the City. The urban design testing assessed a variety of building heights and alternative building massing options to minimise impact on the public domain and reduce height impacts from overshadowing on the heritage building and to neighbouring residential buildings.
26. The proposed building envelope is shown at Figure 9 and illustrates the maximum volume which future development may be arranged under the proposed changes to the development controls. The envelope extends to a maximum height of 29 metres for the eastern building that fronts Rothschild Avenue and a maximum height of 27 metres for the western building that fronts Mentmore Avenue.



**Figure 9:** Maximum building envelopes available for future development on the site.

27. Building envelopes in the draft DCP facilitate:
- landscaped setbacks of up to seven metres and a six metre heritage curtilage to provide the heritage listed warehouse an appropriate visual setting;
  - five storey street wall height to the southern, Rothschild Avenue and Mentmore Avenue frontages and a four storey street wall height to the through-site link;
  - articulation along the street frontages to break up the bulk, scale and perceived length of the building;
  - provision of a large communal open space for residents between the two residential buildings in the middle of the site; and

- (e) completion of existing through-site link to the north of the site and the establishment of a new publicly accessible heritage curtilage between the new buildings and the heritage listed warehouse.
28. The proposed scheme is indicative and presents one possible built form outcome. The proposed building envelope provides for a development outcome that is capable of complying with the Apartment Design Guide and informs the proposed planning controls. This report does not seek approval of the scheme, which will be the subject of a competitive design competition and subsequent development application.

### **Public exhibition**

29. The planning proposal and draft DCP were exhibited from 6 March to 3 April 2019.
30. The City sent over 1,100 letters to landowners and residents to notify them of the public exhibition and provide information on how to view the supporting documentation.
31. Relevant documents were made available at the One Stop Shop, Green Square Neighbourhood Service Centre and on the 'Sydney Your Say' website. The exhibition was also advertised in the Sydney Morning Herald, Sydney Central Courier, through the City's website and the 'Sydney Your Say' e-newsletter.
32. Transport for New South Wales, Roads and Maritime Services and the Office of Environment and Heritage were also notified as required by the Department's Gateway Determination.
33. Transport for New South Wales provided a response advising they had reviewed the planning proposal and accompanying documentation and provided no comment in relation to the proposed scheme.
34. Roads and Maritime Services raised no objection to the planning proposal, however they advised Council may want to reduce the car parking rates on site due to its proximity to Green Square train station. No change to the parking rates is included in the planning proposal as a future development application would be required to demonstrate compliance with the rates in the Sydney LEP 2012, which contains the expressed aim of reducing motor vehicle reliance and congestion.
35. The Office of Environment and Heritage provided a response advising that the transfer of floor space to the development site to the north would preserve and protect the heritage values of the warehouse, while allowing for the site to be redeveloped. Following a review of the planning proposal and draft DCP provisions, OEH advised they believe that the proposed amendments and controls are sufficient to protect the heritage warehouse and provide an appropriate curtilage to the item.
36. A total of 27 submissions were received in response to the exhibition. The City's response to the issues raised in submissions are summarised and discussed in the below section and in greater detail at Attachment F.

### **Overdevelopment / Excessive density**

37. Eighteen submissions expressed concerns that the proposal will result in greater building densities and would lead to an overdevelopment of the Rosebery area. Opposition was raised to what is considered an influx of additional residents as a result of future development, with concerns that Rosebery has reached saturation point with the number of residential buildings.

38. The planning proposal seeks to redistribute floor space to protect the heritage listed warehouse Site H by relocating floor space available under the current FSR controls to Site D to the north. The floor space permitted under the proposed controls is comparable to what can currently be achieved. Under the current FSR control of 1.5:1, the subject sites would achieve floor space of about 12,600sqm across the sites, excluding other additional floor space available. Under the proposed FSR controls of 1:1 for Site H and 1.75:1 Site D, 12,800sqm can be achieved across the two sites. This is equivalent to two apartments.
39. Site D remains eligible for community infrastructure floor space in Green Square, which provides additional FSR of 0.5:1 subject to the delivery of a through-site link along the northern boundary. This is currently available under the Sydney LEP 2012 and does not constitute an increase. Site H is not eligible for community infrastructure floor space or 10% design excellence floor space to limit the potential for a substantial future redevelopment that would adversely impact the otherwise intact heritage-listed warehouse.
40. The heights in the LEP are being changed to accommodate the transferred floor space. The building envelope set by the draft DCP has been situated and designed to minimise the perceived bulk and scale of the future building. The future development includes a landscaped setback and tree retention zone of up to seven metres from the street and further setbacks above the five storey street wall. The setbacks will preserve the existing mature trees in the street.

#### **Building height**

41. Seventeen submissions raised concerns about increased building height, particularly the maximum of nine storeys for the building fronting Rothschild Avenue. Submissions argued the existing maximum building height of six storeys should be maintained as it is consistent with the surrounding area and that additional height in this location would impact upon the streetscape. They argue Rosebery, as distinct from Zetland, should not be the location of increased building heights.
42. The exhibited scheme sited the building envelopes to respond to the surrounding conditions by locating the tallest building, at 29 metres, on Rothschild Avenue and the lower building on Mentmore Avenue. Adjacent buildings on Rothschild Avenue range from eight storeys to the immediate north, seven storeys directly opposite and nine storeys to the south of Sweetacres Park. Similarly, adjacent buildings that front Mentmore Avenue range from eight storeys to the immediate north and six storeys to the west.
43. The proposed building envelopes are therefore considered to be consistent with the height and character of adjacent development and will not result in significant adverse impacts to neighbouring residents.

#### **Public transport and traffic congestion**

44. Fifteen submissions state that the proposal will contribute towards further congestion from private and commercial vehicles in the area, particularly along Rothschild Avenue. They describe congestion through the area at peak times and on weekends and state new developments will only create more traffic, further deteriorating quality of life for local residents.

45. As the planning proposal does not significantly increase the floor space there is no increase to the amount of parking, and consequently traffic, being generated as a result of this planning proposal. The transport assessment that accompanied the planning proposal found there is adequate capacity to accommodate trips generated by future development on site without compromising safety and operation of nearby intersections. The exhibited building envelope has removed vehicle access from Rothschild Avenue so as to minimise disruptions to traffic flow.
46. The site is located close to the Rosebery Traffic and Transport Study area, commissioned by the City in 2018 to determine the transport and road capacity available within Rosebery. This study found that while the road network overall operated in a satisfactory manner, there were instances of traffic queueing and delays, particularly at peak times. It also identified insufficient bus capacity towards Central Sydney.
47. A key finding of the study was that as sites transition from industrial use to residential, demand has been shown to change from private vehicle usage towards public transport use. The site is located within easy walking distance of Green Square train station and as such is suitably located to encourage additional public transport use.
48. Submissions also identified concerns about public transport congestion. Since the public exhibition of this planning proposal, Transport for NSW increased the bus capacity in Rosebery by providing more frequent bus services along Rothschild Avenue and introduced a new bus service to Central Sydney along Rosebery Avenue. The City will continue working with Transport for NSW to improve road network efficiency and public transport service capacity in Rosebery.
49. Nine submissions raised concern about traffic flow problems and congestion to Rothschild Avenue near the subject site. The local road network is affected by a combination of upgrade works and private vehicles moving through the area. Particular issues are the right turn from Rothschild Avenue to Epsom Road, the closure of two lanes of traffic on Joynton Avenue and traffic from outside of Rosebery using the local road network as a shortcut.
50. The closure of two lanes on Joynton Avenue is related to remediation and upgrade works as a result of ongoing public domain works for the wider Green Square Urban Renewal. This work commenced in October 2018 and is due to be completed by mid-2020 and will have some impact on the road network over that period. The accompanying transport assessment found there is adequate capacity in the surrounding road network to cater for traffic generated by future development on the site without compromising the operation of surrounding intersections.
51. Recent projects include the construction of a new separated bicycle lane along Epsom Road, providing a direct connection between the Green Square Urban Renewal Area and the eastern suburbs. These projects will facilitate active transport and encourage less private vehicle usage. Public and active transport links will be further improved by new streets throughout the precinct, including the completion of the Green Square Eastern Transit Corridor which will offer an additional north-south public transit corridor.

### Changing character of Rosebery

52. Eleven submissions raised concern that the low density residential character of Rosebery will be destroyed in favour of creating high-rise buildings. Rosebery has maintained a village environment and overdevelopment is undermining this character.
53. The planning proposal is located in North Rosebery, which comprises part of the wider Green Square Urban Renewal Area and includes planning controls and zoning in the Sydney LEP 2012 and Sydney DCP 2012 that permit redevelopment as multi-storey mixed-use buildings of up to nine storeys in some areas.
54. The planning proposal does not seek to change zoning or planning controls within the low density residential or industrial sections of Rosebery. These areas of Rosebery are not directly affected and will not see a change in character as a result of this planning proposal.

### Key Implications

#### Strategic Alignment - Eastern City District Plan

55. The Eastern City District Plan (District Plan) was introduced in March 2018. The City of Sydney is located in the Eastern City District, along with Bayside, Burwood, Inner West, Randwick, Waverley and Woollahra Local Government Areas. The District Plan sets priorities and actions for 'Liveability', 'Productivity' and 'Sustainability', which will inform the planning and development of Sydney over the next 20 years.
56. The planning proposal supports the priorities of the District Plan. At a local scale, the proposed development makes a positive contribution to the objective of a 30-minute city, as it will include access to local employment opportunities and commercial space. The retention of the heritage-listed warehouse in its current form will ensure high-quality commercial space is preserved. The publicly accessible heritage curtilage and active frontages to the through-site link will improve streetscape amenity in the vicinity.

#### Strategic Alignment - Sustainable Sydney 2030 Vision

57. 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. The Planning Proposal and draft DCP are aligned with the following strategic directions and objectives:
  - (a) Direction 3 - Integrated Transport for a Connected City - Redevelopment of the site for a mixed-use development will benefit from current and future transport services. Regular bus services operate along Rothschild Avenue, directly in front of the site, with destinations that include Kingsford, Marrickville, Bondi and Central Sydney. The site is also within walking distance of Green Square train station, approximately one kilometre north of the site.
  - (b) Direction 4 - A City for Walking and Cycling - Redevelopment of the site will improve the walkability of the area through the completion of the pedestrian through-site link. The amenity of the area will also be improved through the provision of retail uses fronting the through-site link, providing improved retail services close to residential uses, which will reduce the need to travel outside the area by private vehicle.

- (c) Direction 6 - Vibrant Local Communities and Economies - The development will preserve and improve the quality of commercial services within the heritage item and introduce retail uses to the site. Redevelopment of the sites will ensure that employment opportunities remain within the local area in close proximity to existing and future residential uses.
- (d) Direction 7 - A Cultural and Creative City - The proposed planning controls will ensure the heritage listed inter-war warehouse is retained for commercial purposes and may be readily used for cultural and creative purposes.
- (e) Direction 8 - Housing for a Diverse Population - The proposed development concept includes a diverse range of apartment sizes that will cater for the needs of a growing and diverse population. The residential apartments are well located, close to public transport, employment opportunities and services. Future development will be subject to an affordable housing contribution through the Green Square Affordable Housing program.

### **Relevant Legislation**

- 58. Environmental Planning and Assessment Act 1979.
- 59. Environmental Planning and Assessment Regulation 2000.

### **Critical Dates / Time Frames**

- 60. The Gateway Determination requires that the amendment to the Sydney LEP 2012 is completed by 5 November 2019.
- 61. The Gateway Determination did not authorise the City to exercise delegation to make the local environmental plan in this instance. If approved by Council and CSPP, the planning proposal will be forwarded to the Department with a request to draft and make the local environmental plan.
- 62. 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.
- 63. If approved by Council, the revised draft DCP will come into effect on the same day as the amendment to the LEP.

### **GRAHAM JAHN, AM**

Director City Planning, Development and Transport

Daniel Thorpe, Planner