Attachment A

Planning Proposal Green Square Town Centre: 377- 495 Botany Road and 960A Bourke Street, Zetland

(additions shown highlighted, deletions shown with ~~strikethrough~~)

CITY OF SYDNEY

Green Square Town Centre: 377 - 495 Botany Road and 960A Bourke Street, Zetland

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Executive Summary

This planning proposal arises from a request by Mirvac Projects Pty Ltd (the landowner) to change the planning controls for 377 - 495 Botany Road and 960A Bourke Street, Zetland (the sites) to increase flexibility, facilitate development and attract tenants that will fulfil the vision for the Town Centre.

The sites are located in the Green Square Town Centre (Town Centre), the civic and economic heart of the Green Square Urban Renewal Area and the southern parts of the local area. The vision for the Town Centre is for a resilient, lively and unique urban place, with jobs, well-serviced residences, community facilities and open space. When complete, the Town Centre will be home to 7,800 people and accommodate 6,700 workers.

A number of milestone development projects have been completed in the Town Centre over the last 5 years, including substantial residential development such as the Ovo and Infinity buildings, as well as community spaces, including the Green Square Library and Plaza. Retail floor space has been delivered as part of some of these recent developments, however other planned employment floor space for additional retail, recreational and commercial uses, have proven more difficult to develop in the recent market environment and are yet to be provided.

The Botany Road site at 377 - 495 Botany Road, Zetland is the only site within the Town Centre that is intended for a purely commercial use. Almost one third of the employment that has be projected in the Town Centre will be achieved on this site, with a potential 2,049 jobs. Workers coming to and from the site and using the Town Centre's facilities and services will make an important contribution to the vibrancy, activity and character of the place.

This planning proposal enables a larger floor plate at the lower levels of the Botany Road site building to cater to demand for larger, more flexible commercial space and assist in attracting tenants. It is proposed to enable this by amending the height of buildings map in the Town Centre LEP to enable a sky bridge which connects the site's two buildings between levels 2 and level 9 (inclusive).

This planning proposal also enables additional uses on the Botany Road site to accommodate complementary commercial uses and create an attractive precinct for tenants. This will be done by broadening the range of land uses which can utilise 'additional floor space' to include education facilities (such as a university or school), child care facilities, medical facilities and space for functions and conferences, in addition to commercial uses.

The Bourke Street site at 960A Bourke Street, Zetland is intended for a mixed-use building, incorporating residential development as well as a range of population serving uses, including entertainment facilities. Entertainment and recreation uses in the lower levels of the building are intended to attract people to the Town Centre and activate the Green Square Plaza.

The approved development application for the site relies on 'additional floor space' allocated for an entertainment facility and includes a cinema. However evolving preferences for entertainment and COVID-19 are affecting the cinema market and use of that floor space in the short to medium term.

This planning proposal broadens the range of uses that can utilise 'additional floor space' on the Bourke Street site to enable other uses that can contribute to activity in the Town Centre. The other land uses proposed include information and education facilities (galleries), artisan food and drink and indoor recreation facilities, in addition to entertainment facilities. Together, these uses can respond to emerging entertainment and recreational trends and activate the Town Centre.

The City has prepared this planning proposal to amend the *Sydney Local Environmental Plan (Green Square Town Centre) 2013* (Town Centre LEP), as they apply to the sites, by:

- amending the height of buildings map in the Town Centre LEP to enable a sky bridge up to RL 55.7 on the Botany Road site, connecting the two buildings planned for the site between level 2 and level 9 (8 levels in total);
- broadening the range of land uses on the Botany Road site that can utilise 'additional floor space', that is currently limited to commercial and office uses. The additional uses introduced by this planning proposal are:
    - centre-based child care facilities,
    - educational establishments,
    - health service facilities,
    - retail premises (up to a total of 1,500 square metres),
    - entertainment facilities and function centres (up to a total of 2,500 square metres),
    - recreation facilities (indoor) (up to a total of 1,500 square metres); and
- broadening the range of land uses on the Bourke Street site that can utilise 'additional floor space', that is currently limited to office premises, business premises, entertainment facilities and centre-based child care facilities. The additional uses introduced by this planning proposal are:
    - information and education facilities;
    - artisan food and drink industry; and
    - recreation facilities (indoor).

No changes to current zoning or floor space ratios in the Town Centre LEP are proposed.

The proposed changes support the Eastern City District Plan's actions to protect development capacity for jobs, remove barriers to cultural and creative uses and strengthen and reinforce the economic role of Green Square as urban renewal continues.

A draft Development Control Plan has been prepared to amend the Green Square Town Centre Development Control Plan 2013 and align it with this planning proposal. The draft DCP is to be publicly exhibited in conjunction with this planning proposal.

1. Background

1.1 Introduction

Planning Proposal: Green Square Town Centre: 377-495 Botany Road and 960A Bourke Street, Zetland (this planning proposal) is to amend the *Sydney Local Environmental Plan 2013 (Green Square Town Centre)* (Town Centre LEP) as it applies to 377-495 Botany Road and 960A Bourke Street, Zetland (the sites).

The intent of this planning proposal is to:

- broaden the range of non-residential uses that can be provided on the sites, to allow for more diverse land uses that support the strategic vision for the Green Square Town Centre (Town Centre); and
- facilitate a sky bridge, limited in height to below the 10th level of the building, connecting commercial buildings fronting Botany Road, to allow larger and more flexible floorplates to attract commercial tenants.

No changes to current zoning or floor space ratios in the Town Centre LEP are proposed, though a minor amendment to the maximum height control is required to facilitate the skybridge.

This planning proposal is supported by the Draft Green Square Town Centre Development Control Plan 2012: 377-495 Botany Road and 960A Bourke Street, Zetland (draft DCP). The draft DCP is to amend to the current provisions of Sections 3 and 4 of the Green Square Town Centre DCP to facilitate the sky bridge and the additional land uses.

The proposed changes to the planning controls support the strategic vision of the Town Centre as a resilient, lively and unique urban place. They will:

- facilitate the long-term viability of the commercial floors pace within the site fronting Botany Road, through allowing a diversity of uses that complement the site's business and office premises which will create an attractive and enticing workplace for tenants;
- allow for adaptability for the commercial buildings fronting Botany Road to provide for more efficient and interconnected floorplates that cater to contemporary commercial tenant requirements, by allowing a more contiguous bridge connection for improved access between the buildings;
- facilitate a diverse range of land uses on the site fronting Bourke Street which can respond to emerging trends and activate the town centre

This Planning Proposal has been prepared having regard to '*A guide to preparing planning proposals'* published by the Department of Planning, Industry and Environment (DPIE).

1.2 Planning Proposal Request

This planning proposal has been the subject of ongoing pre-lodgement discussions between City of Sydney and the landowner, Mirvac Projects Pty Ltd (Mirvac).

Mirvac submitted a request to amend the planning controls on 7 July 2021 (Attachment A1). The request was supported by:

- an urban design report, provided at Attachment A3;
- a site specific development control plan amendment, provided at Attachment A5;
- an economic assessment, provided at Attachment A2; and
- a desktop wind impact review, provided at Attachment A4.

The subject of the original request was the Botany Road site. It sought to:

- expand the range of uses that could be achieved on the site to allow for a wider range of uses and activities to support the future residential and working population; and
- facilitate a sky bridge between the two commercial towers, unrestricted in height, to enable a larger floorplate across to meet current market demand in this area.

The original request did not seek to change the planning controls that apply to the Bourke Street site.

Following lodgement, the City raised concerns with the landowner regarding the extent of the proposed sky bridge that would effectively join the two commercial buildings into one large building with a frontage spanning approximately 110 metres.

While still preferring a sky bridge that spanned all levels, the landowner agreed to reduce the extent of the sky bridge to limit its maximum height to below level 10, ensuring the buildings present as separate elements in the skyline. The revised building envelope and an updated reference design, lodged 15 September 2021, are provided Attachment A7 and A8 respectively.

Separate to discussions being held in relation to the Botany Road site, the landowner had also approached the City about potential changes to the Town Centre LEP to facilitate a broader range of entertainment and recreational uses that could be provided on the Bourke Street site.

The City requested the landowner provide supplementary material to support the expansion of uses on the Bourke Street site so it could be incorporated into a single planning proposal, that is the subject of this report. The supplementary information, lodged 27 August 2021, is provided at Attachment A6.

1.3 The Sites

1.3.1 Site identification

The sites are located within the Green Square Town Centre (Town Centre) and are owned by Mirvac Projects Pty Ltd.

The legal descriptions of the sites are:

- 377- 495 Botany Road, Zetland, being Lot 11 DP 1199427 (future development lot), shown in a dotted red line at Figure 1; and
- 960A Bourke Street, Zetland, being Lot 6 DP 1199427 (future development lot), outlined in blue at Figure 1.

This planning proposal may refer separately to these sites as the Botany Road site and the Bourke Street site respectively.

Photos of the sites are provided below at Figure 2 and Figure 3.

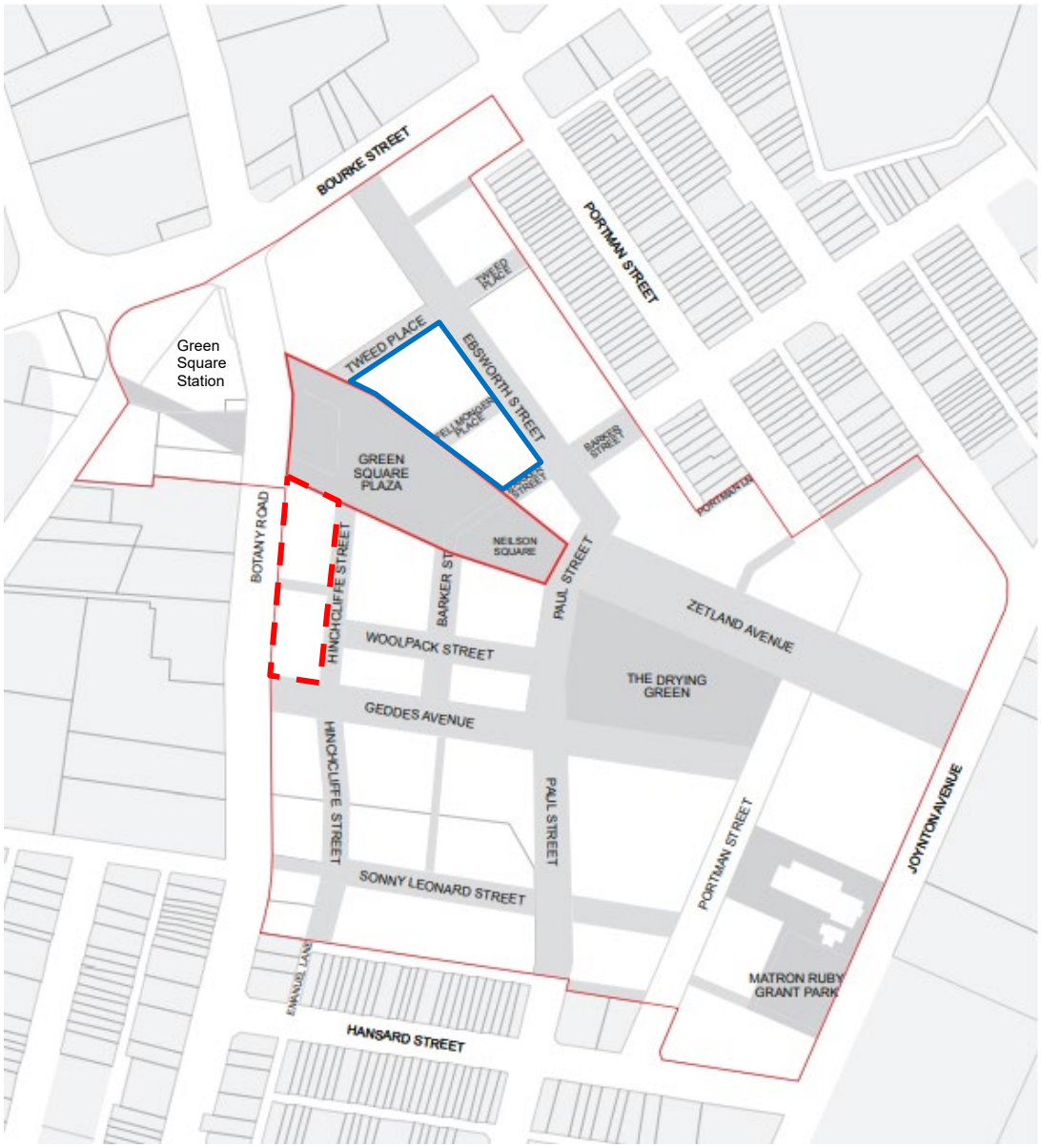

Figure 1 Sites identification, showing the Bourke Street site outlined in blue and the Botany Road site outlined in a dashed red line

The site as viewed from Green Square Plaza (north)

The site as viewed from Botany Road (west)

The site as viewed from Botany Road (south-west)

The site as viewed from Geddes Avenue (south)

Figure 2 Photos of the Botany Road site

The site as viewed from the plaza (south)

The site as viewed from Ebsworth Street (east)

The site as viewed from the plaza (south west)

The site as viewed from the plaza (south east)

Figure 3 Photos of the Bourke Street site

1.3.2 Role of the sites in the Town Centre

Botany Road site

The Botany Road site is the only site within the Town Centre that is intended for purely non-residential uses. Over one third of the employment that has been projected in the Town Centre will be achieved on this site, with a potential 2,049 jobs.

The Botany Road site is therefore critical to support the employment function of the Town Centre, which along with Mascot is identified as a major strategic centre in the Greater Sydney Commission Eastern City District Plan (the District Plan). Workers coming to and from the site and using the Town Centre's facilities and services will make an important contribution to the vibrancy, activity and character of the place.

Current planning controls facilitate some 45,696 square metres of floor space with variable building heights up to 24 storeys at the highest part of the site. A small portion of floor space (about 1,300 square metres) can be used for any purpose that is permissible in the B4 – Mixed use zone, however the vast majority is required to be used for a commercial or business purpose (as defined in the Town Centre LEP).

The planning controls for the site allow for two separate buildings. The south building fronts Botany Road on the east and the new Geddes Avenue on the south. The north building also fronts Botany Road on the east and the Green Square Plaza, Library and underground entrance to the train station, making its north frontage an important contribution to a highly visible and heavily used public spaces.

Bourke Street site

The planning controls for the Bourke Street site allow for two separate buildings that are intended for a mix of uses, incorporating residential development as well as a range of population serving uses. They facilitate about 23,000 square metres of floor space with variable building heights up to 24 storeys at the highest part of the site. The site allows for two separate buildings, both with their primary frontage to the Green Square Plaza.

Most of the floor space in the site (about 19,000 square metres) is allowable for any use permissible in the B4 – Mixed use zone including residential uses, with an additional 4,200 square metres of floor space available under the Town Centre LEP for population serving uses, being office premises, business premises, entertainment facilities or childcare facilities.

The land uses that locate in the lower levels of the building are critical for the activation of the Green Square Plaza as a place where people can visit, be entertained and recreate, and find the facilities and services they need.

1.3.3 Location and context of sites

The sites are located within the Green Square Town Centre. The Town Centre is 4 kilometres south of Central Sydney and 5 kilometres north of Sydney Airport and is serviced by a train station on the Airport Line connecting directly to Central Sydney, Mascot and Sydney Airport.

The Town Centre is the civic and economic heart of the Green Square Urban Renewal Area and the southern parts of the local area. The vision for the Town Centre is for a resilient, lively and unique urban place, with jobs, well-serviced residences, community facilities and open space.

The Town Centre has seen many development projects recently completed including Ovo, Infinity, Green Square Library and Plaza, and other residential mixed use developments. The Town Centre currently has approximately 1,489 established dwellings, and a further 1,552 approved, under construction or recently completed. When complete, the Town Centre will be home to 7,800 people and accommodate 6,700 workers. Retail floor space has been delivered as part of some of these recent developments, however the sites identified to contribute additional retail and commercial floor space have not yet developed.

The sites also sit within the wider context of Green Square Urban Renewal Area, which is approximately 278 hectares in area and comprises the suburbs of Zetland and Beaconsfield and parts of Alexandria, Rosebery and Waterloo. It will contribute over one third of the City's local housing growth to 2036. The Green Square Urban Renewal Area has been developing at an unprecedented rate, exceeding historical population projections and anticipated timeframes. The Urban Renewal Area as a whole currently has approximately 18,532 established dwellings, with a further 3,787 approved, under construction or recently completed. The urban renewal area is forecast to grow to around 32,000 dwellings, housing around 60,000 to 70,000 people (depending on occupancy trends) at build out.

Significant employment is also projected, both in the urban renewal area and in adjoining employment focused areas such as North Alexandria and the Botany Road Precinct, that are the current subject of separate planning proposals to increase employment capacity. While some retail has been delivered in developments throughout the Urban Renewal Area, current and future residents will primarily rely on the Town Centre to deliver the non-residential floor space necessary to provide essential services, retail and jobs within close distance of their homes.

Green Square-Mascot is identified in the Eastern City District Plan as one of the key strategic centres for economic and business activity outside Central Sydney. This puts it on par with the District's other strategic centres of Bondi Junction, Eastgardens, Burwood, Randwick and Rhodes, and an important part of achieving the goal of a 30 minute city by locating jobs, services, retail and important economic activities within a short distance of people's homes.

The District Plan identifies protecting development capacity for job targets and removing barriers to cultural and creative uses as key actions to strengthen and reinforce the economic role of Green Square as urban renewal continues.

The urban renewal area, particularly the Town Centre, have been the focus of significant investment in public infrastructure since the late 1990s, including public transport, public domain, parks, significant flood mitigation work, as well as world class community and recreation facilities. The Green Square Library, Joynton Avenue Creative Centre, Perry Park Recreation Centre and Gunyama Park Aquatic and Recreation Centre are among the recently delivered facilities within the Town Centre.

The sites are shown in context at Figure 4.

Figure 4 Context of sites

1.3.4 Site characteristics

The Botany Road site

The Botany Road site has an area of 4,322 square metres.

Currently, the site has been cleared of all structures and contains only a row of trees along the western frontage to Botany Road.

The site directly adjoins the Green Square Library and Plaza to its north-east, and the underground tunnel access to Green Square station is directly across from its northern border.

The site's extended western frontage is to Botany Road, so development on the site will be heavily affected by the noise, pollution and visual privacy impacts of this major road and heavy vehicle thoroughfare.

The site is adjacent to future residential development on the sites immediately to the east, and future commercial development on the other side of Botany Road. On the development sites to the east, there is an approved concept proposal for four mixed use developments with a new street network and 514 dwellings in total. There are no detailed development applications lodged for these sites. To the south is Geddes Avenue, an important connector road that will serve as an east-west corridor between the Town Centre, North Alexandria and Erskineville.

According to the Green Square Town Centre DCP the main vehicle entry to this site is via Hinchcliffe Street near Geddes Avenue. Hinchcliffe Street is a new street identified in the DCP that will run parallel to Botany Road and connect Geddes Avenue to Green Square Plaza.

The Bourke Street site

The Bourke Street site has an area of 3,688 square metres. The site is currently cleared of all structures and has hoardings around its perimeter to shield it from the public domain. It is bounded by Ebsworth Street to the north-east, Tweed Place to the north-west, Green Square Library and Plaza to the south-east, and the future Barker Street to the south-west.

The Bourke Street site has development consent (D/2017/564) but has not commenced construction. The consent is for a 16 storey building, a 13 storey building and a new laneway separating them (Fellmonger Place). The approved development includes 194 residential apartments, about 1,220 square metres of retail floor space, about 2,085 square metres of commercial floor space and a 2,110 square metre cinema. As part of this planning proposal request, the proponent has indicated they will not be progressing with this consent.

One of the most centrally located sites in the Town Centre, the site has its primary frontage to Green Square Plaza and Tweed Place. When developed it will make a significant contribution to the functioning of the Town Centre as well as the look and feel of the plaza.

The site is surrounded by recent and ongoing development sites as part of the redevelopment of the Town Centre. The neighbouring development site to the south-west will include delivery of a new street called Barker Street and provide shared basement access to future development on the Bourke Street site. When complete, the neighbouring building will be a 20 storey mixed use development with residential apartments and retail on the ground and first floors, contributing to the ground floor retail presence fronting Green Square Plaza.

Opposite the site on Ebsworth Street is 18 Ebsworth Street, a mixed use development with residential apartments and retail at ground level, including a supermarket, and opposite the site on Tweed Place is 301 Botany Road, a large mixed use development known as Infinity with residential apartments, a hotel, and a significant retail offering including medical centre and food court. Infinity also features an underground tunnel entrance to Green Square station.

2. Existing planning controls

The Town Centre LEP and Green Square Town Centre Development Control Plan 2012 (DCP) contain zoning and development standards for the site. These are discussed below.

2.1. Zoning

The zoning of the sites are shown in the Land Zoning Maps in the Town Centre LEP.

The sites are zoned B4 Mixed Use, shown in Figure 6. The objectives of this zone are:

- to provide a mixture of compatible land uses;
- to integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling; and
- to ensure uses support the viability of centres.

The zoning permits a wide range of uses, including centre-based child care facilities, commercial premises, educational establishments, entertainment facilities, function centres, hotel and motel accommodation, medical centres, recreation facilities (indoor), shop top housing and residential flat buildings. The only prohibited uses are extractive industries, heavy industrial storage establishments and heavy industries.

No change is proposed to the zoning of the sites.

Figure 5 Land use zoning map from Town Centre LEP

2.2. Floor space ratio

Maximum floor space ratio (FSR) controls are shown in the Town Centre LEP at Figure 7, with additional FSR available pursuant to 4.4A Exceptions to floor space ratio in the Town Centre LEP detailed below.

Botany Road site

The mapped FSR on the site is 0.3:1.

Clause 4.4A allows for additional FSR on some sites. The Botany Road site is located within Area 1 and is eligible for 44,000 square metres of additional floor space only if that additional floor space is used for office premises or business premises.

Bourke Street site

The mapped FSR on the site is 5.47:1.

Under Clause 4.4A, the Bourke Street site is located within Area 4 and is eligible for 4,200 square metres of additional floor space only if that additional floor space is used for office premises, business premises, entertainment facilities and centre-based child care facilities.

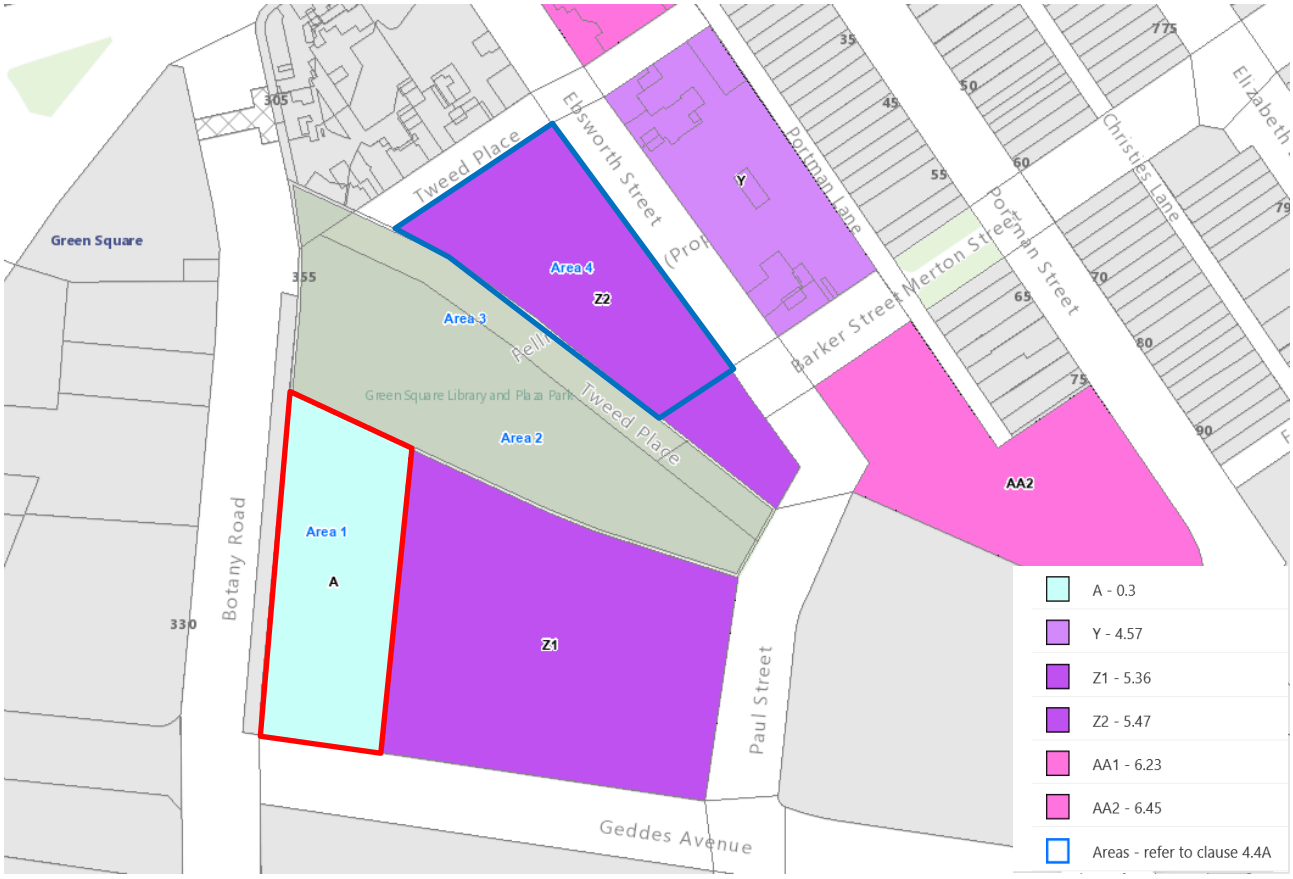

Figure 6 Floor space ratio map from Town Centre LEP

2.3. Height of buildings

The Height of Buildings map in the Town Centre LEP, shown at Figure 8, shows heights in Reduced Levels (RLs) that can be achieved across the sites. The Town Centre DCP Height in Storeys map, shown at Figure 9, translates these RLs to the height in storeys that can be achieved.

Botany Road site

The northern building on the Botany Road site has a height of RL115 (24 storeys) with a street wall fronting the plaza of RL52 (8 storeys).

The southern building on the site has a height of RL90 (17 storeys).

The through site link identified between the north and the south building is RL22, which does not allow for the proposed sky bridges.

Bourke Street site

The height of the northern building on the Bourke Street site varies, stepping up from the plaza to allow for solar access, with:

- the part of the building fronting the plaza being RL50 (8 storeys);
- the central part of the building being RL64 (12 storeys);
- the eastern edge of the building being RL75 (15 storeys).

The height of the southern building also varies with:

- the part of the building fronting the plaza being RL50 (8 storeys);
- the central part of the building being RL62.5 (12 storeys).

Figure 7 Height of Buildings map from Town Centre LEP

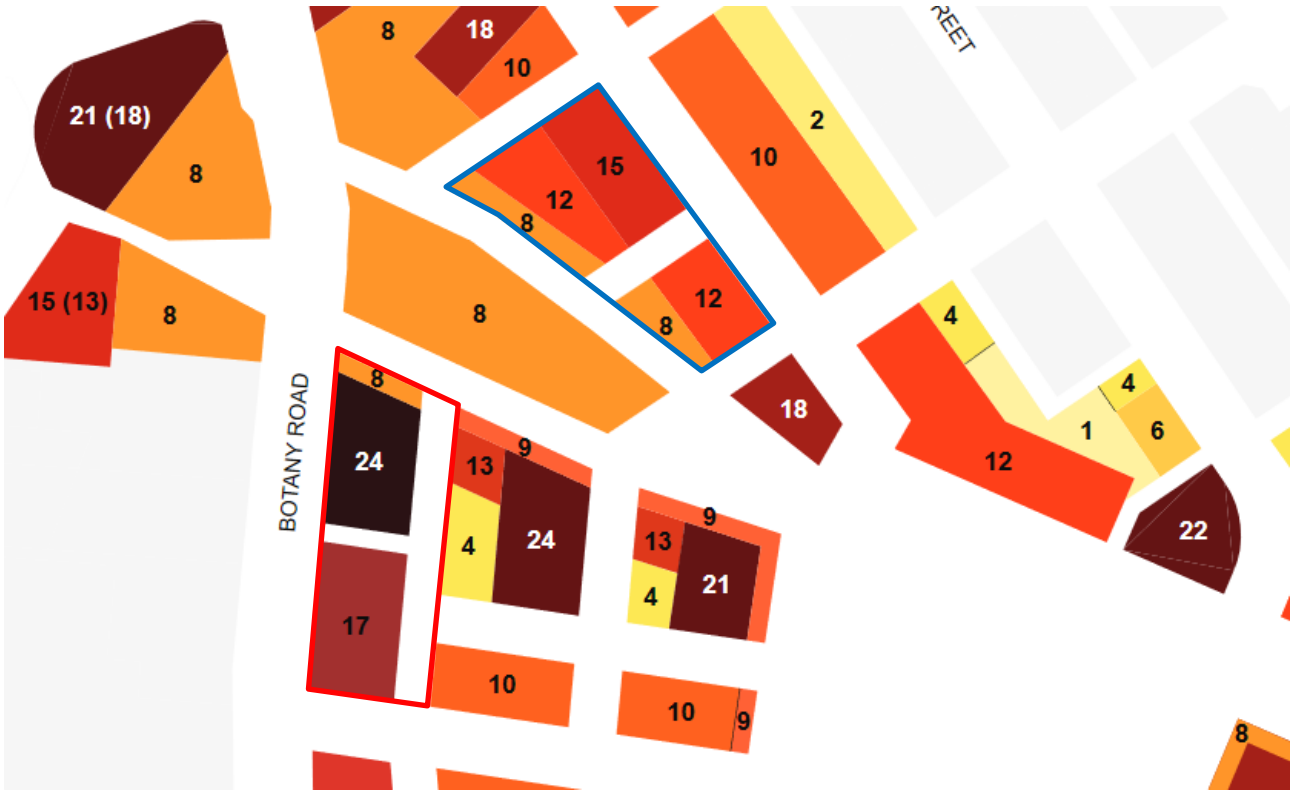

Figure 8 Height in Storeys map from the DCP

2.4. Design excellence

Pursuant to Clause 6.9 of the Town Centre LEP, development that exceeds RL71 or has a capital investment value of over $100,000,000 is required to demonstrate design excellence and undertake a competitive design process. There are no development bonuses available for this process.

2.5. Heritage

The sites are not within or adjoining a heritage conservation area.

A search of the NSW State Heritage Register did not identify any further heritage items on the sites or on any adjacent land.

2.6. Town Centre DCP

The Town Centre DCP builds upon and provides more detailed provisions than the Town Centre LEP. The site is subject to site specific controls, which set out more detailed controls in order to satisfy the development controls within the Green Square LEP 2012.

3. Objectives

This planning proposal will facilitate the development of 377-495 Botany Road and 960A Bourke Street, Zetland in the Town Centre. The objectives of this planning proposal are to:

- support employment growth within the Town Centre;
- facilitate the delivery of employment generating floor space and local services in the Town Centre;
- support an active and vibrant Town Centre that contains a variety of activity and experiences;
- allow non-residential development to respond to changing market demands;
- support commercial floor space on the Botany Road site, through allowing a diversity of uses that complement business and office premises;
- improve the flexibility and adaptability of commercial floor space on the Botany Road site by allowing for connection between buildings on the site; and
- facilitate flexibility of land use while retaining the potential for a cinema on the Bourke Street site.

4. Explanation of provisions

4.1. Proposed amendments to Town Centre LEP

The drafting instructions to amend the Town Centre LEP are provided below. A detailed justification for the proposed planning controls and further explanation of the intended outcome is provided at Part 5 – Justification of this planning proposal.

4.1.1. Drafting instructions

To achieve the intended outcomes, this planning proposal seeks to amend the Green Square LEP 2013 as follows:

1. Amend the Height of Building Map Sheet 1 as shown in Part 6 of this planning proposal to increase the height of part of the Botany Road site to RL 55.7 metres.

2. Amend clause 4.4A(2)(a) to add the following land uses which the additional floor space can be utilised for:
   - centre-based child care facilities,
   - educational establishments,
   - health service facilities,
   - retail premises (up to a total of 1,500 square metres),
   - entertainment facilities and function centres (up to a total of 2,500 square metres),
   - recreation facilities (indoor) (up to total of 1,500 square metres).

3. Amend clause 4.4A(2)(d) to add the following land uses which the additional floor space can be utilised for:
   - information and education facilities;
   - artisan food and drink industry; and
   - recreation facilities (indoor).

4.1.2. Proposed drafting

The follow provides recommended wording to amend the Town Centre LEP.

Part 4 Principal development standards [amend] clause 4.4A Exceptions to floor space ratio
… 4.4A … (2) **Specified use floor space** A building that is on land in an Area, and is used for a purpose specified in relation to the Area in paragraph (a), (b), (c) or (d), is eligible for an amount of additional floor space (***specified use floor space***) as follows— (a) Area 1, additional floor space not exceeding a total of 44,400 square metres, associated with the following land uses:

i. office premises,
ii. business premises,
iii. centre-based child care facilities,
iv. educational establishments
v. health services facilities,
vi. retail premises with a combined maximum gross floor area of 1,500 square metres,
vii. entertainment facilities and function centres with a combined maximum gross floor area of 2,500 square metres,
viii. recreation facilities (indoor) with a combined maximum gross floor area of 1,500 square metres.

(b) Area 2, community facilities, that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 2,500 square metres,

(c) Area 3, community facilities that provide a library, food and drink premises, meeting rooms, exhibition space and retail premises—additional floor space not exceeding 1,500 square metres,

(d) Area 4, office premises or business premises, entertainment facilities, **information and education facilities, artisan food and drink industry, recreation facilities (indoor)** and centre-based child care facilities—additional floor space not exceeding 4,200 square metres.

4.2. Site-specific DCP

The City has prepared a draft development control plan (draft DCP) to amend Green Square Town Centre Development Control Plan 2012. The draft DCP is to ensure the objectives and intended outcomes of this planning proposal are achieved.

The draft DCP will be publicly exhibited with this planning proposal, should Gateway determination facilitate the public exhibition.

5. Justification

This planning proposal and associated draft DCP is informed by the City's assessment of the proposed built form controls and land uses in the planning proposal request and supporting studies provided by the landowner. It proposes sometimes different planning controls than those in the planning proposal request and supporting information.

5.1 Development outcomes

This planning proposal and associated DCP aims to facilitate development that contributes to the economic, social and strategic objectives for the Town Centre.

5.1.1. Built form – Botany Road site

Sky bridge

This planning proposal amends the Height of Buildings map in the Town Centre LEP where it applies to the through site link that separates the two buildings on the Botany Road site, as shown in Figure 10.

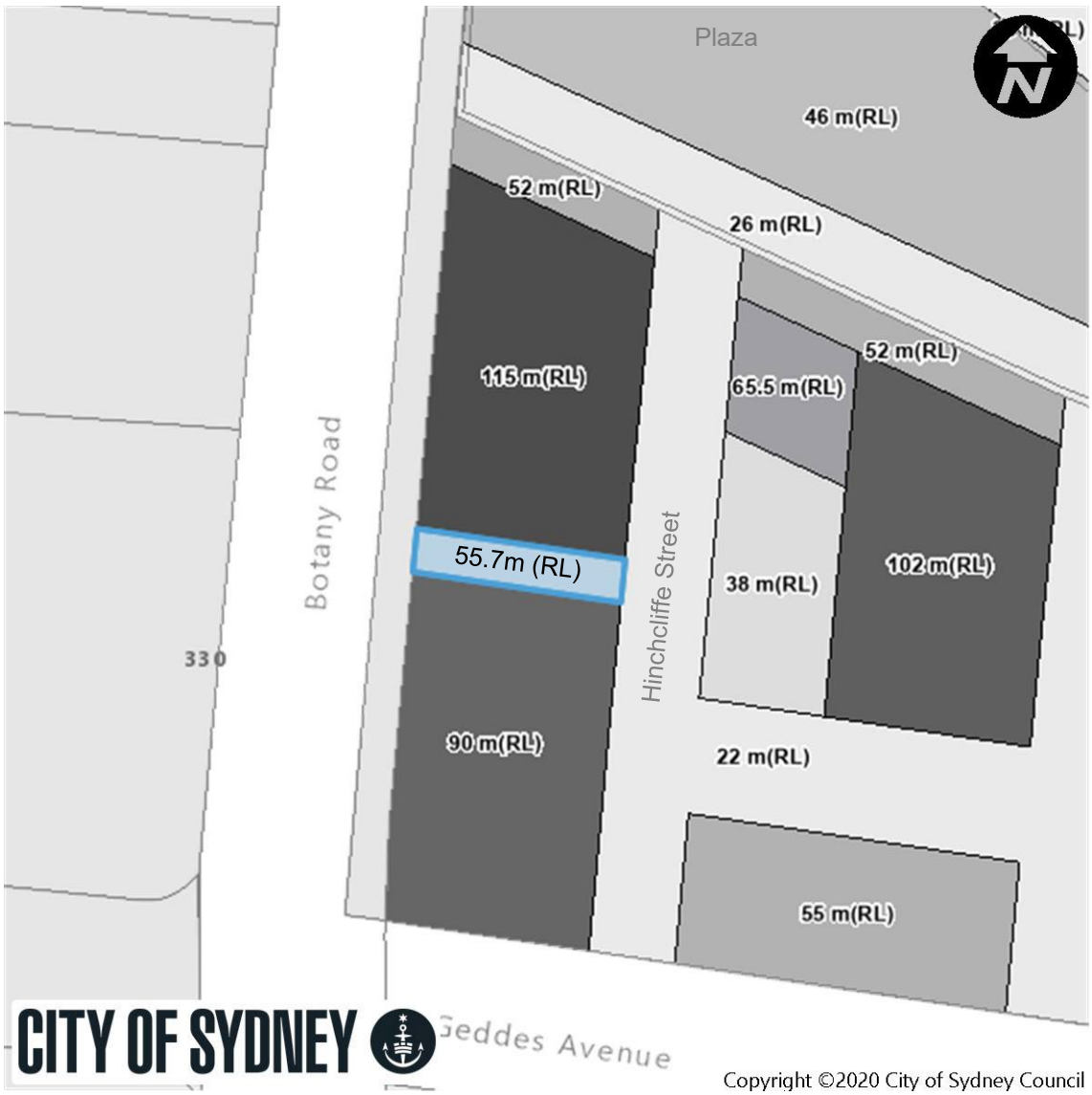

Figure 9 Height of Building Map

The Town Centre DCP currently envisages a sky bridge of significantly smaller proportions that what is proposed in this planning proposal. However, the Town Centre LEP does not facilitate it, and any future development application made under current controls that incorporated sky bridges would be subject to a request to vary the maximum height control under Clause 4.6 of the LEP to allow for its delivery.

The increase in height resulting from this planning proposal will enable the buildings to be effectively joined-up up below level 10 to create large 'campus style' commercial floor plates of approximately 2,700 sqm. The Economic Assessment provided by Mirvac (Attachment A6) has demonstrated that the capacity to provide large floorplates over 2,000 sqm is essential if the building is to meet the needs of the commercial office market and find suitable tenants.

The sky bridge will connect 8 levels of the buildings (level 2 to level 9), leaving the floors above unconnected to ensure the two buildings appear separate in the skyline. In addition, the sky bridge will be set back from Botany Road and Hinchcliffe Street to reduce the visual bulk of the buildings when viewed from the street and/or surrounding buildings.

The proposed sky bridge does not require additional floor space in the Town Centre LEP, which can be accommodated in the existing floor space ratio that applies to the site. The urban design report provided by the landowner shows that using floor space for the sky bridges allows the building to be designed with either a reduced building height, increased public circulation at ground level, or façade articulation to the north or south elevations. A competitive design process is

required for the detailed design of the building, that will be undertaken at the development application stage.

A resulting indicative built form is shown at Figure 10 and Figure 11. The perspective of the Botany Road site at Figure 11 shows a 20 metre sky bridge connecting the podiums with a setback of 4 metres from Botany Road. It is noted the setback of the sky bridge to the Botany Road frontage is to be explored in the design competition and assessed in the development application stage.

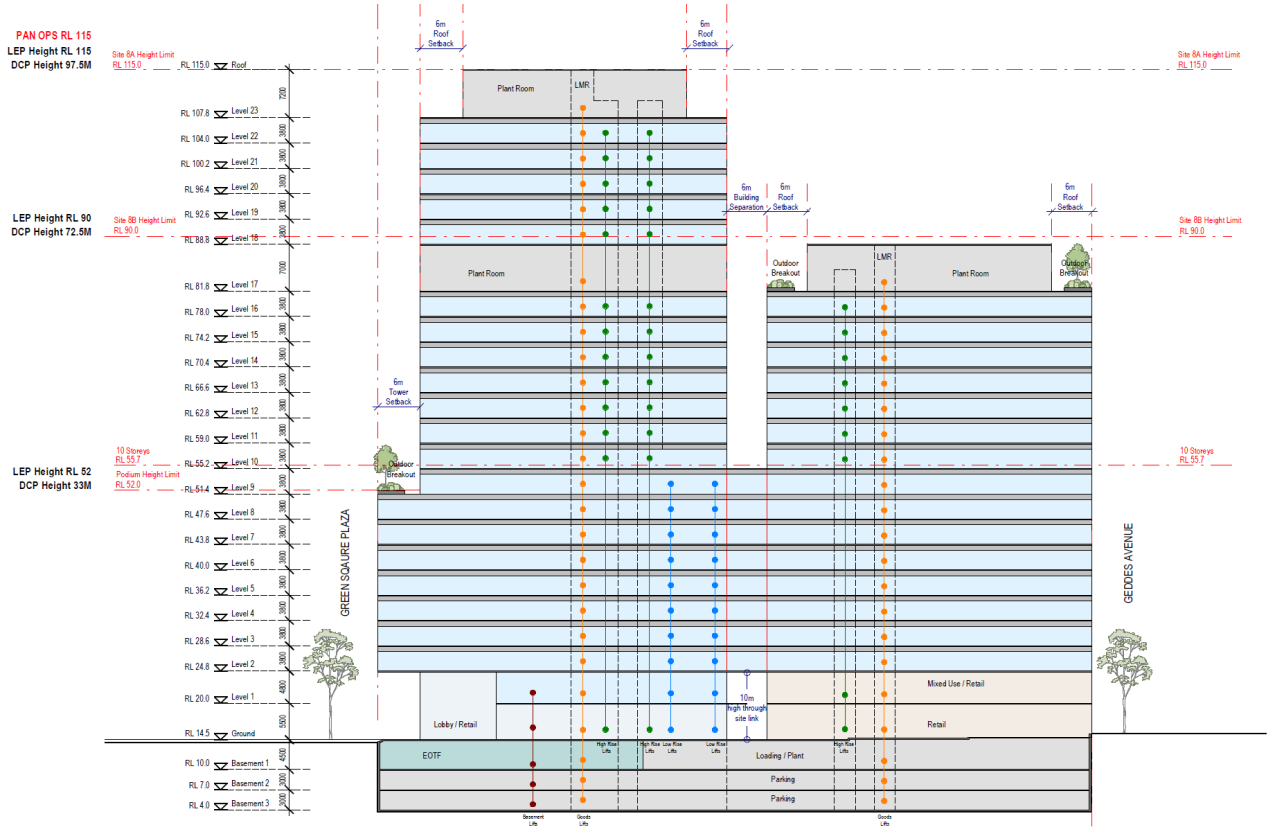

Figure 10 Botany Road site section

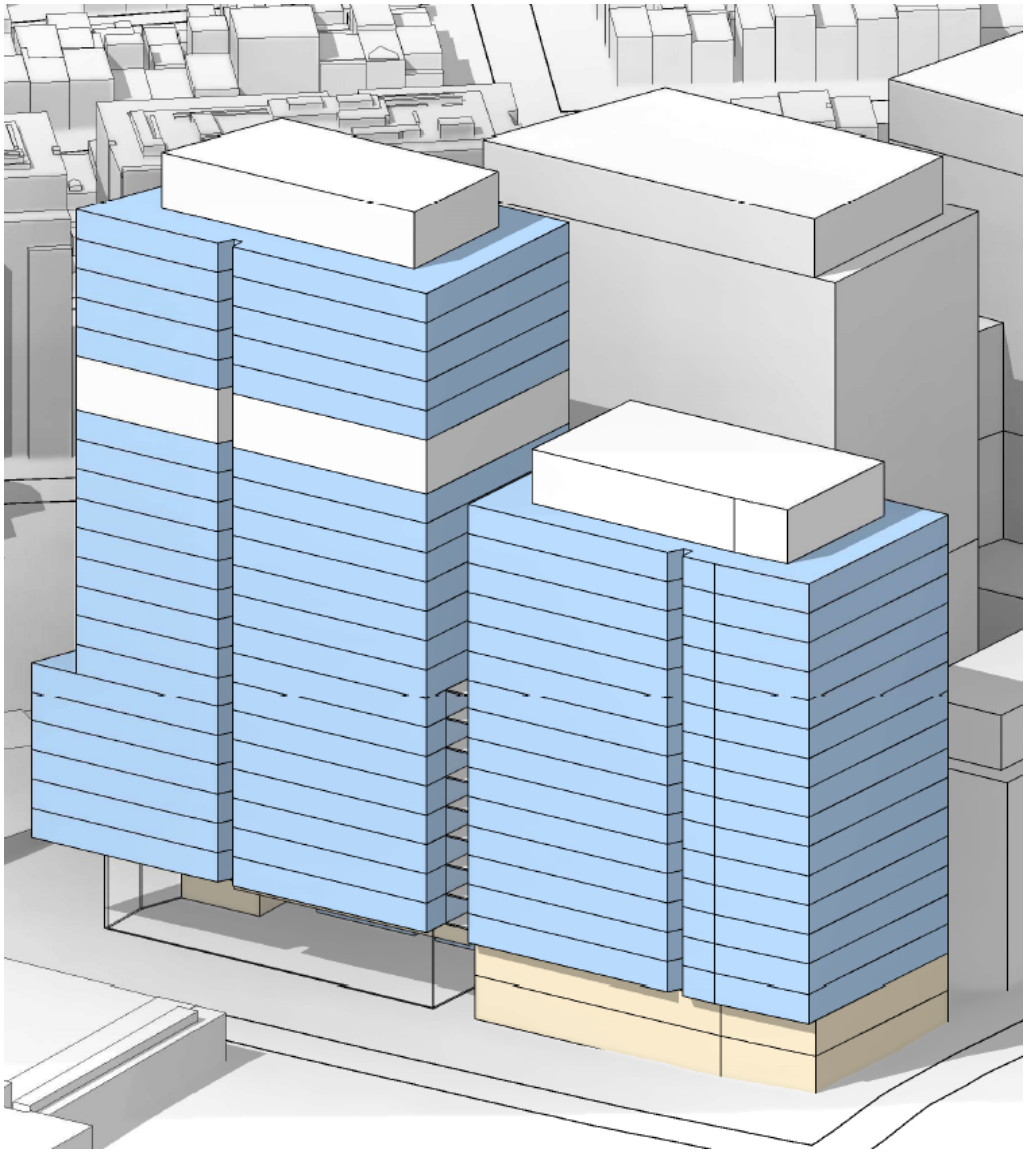

Figure 11 Perspective of Botany Road site showing the skybridge connecting the podiums

Wind impacts

In support of the proposed changes, Arup prepared an Environmental Wind Assessment to assess the impact of widening the sky bridge. The Assessment shows the impact of increasing the width of the sky bridge linking the two buildings from 3 metres wide (as currently enabled in the Town Centre DCP) to 20 metres wide on the pedestrian-level wind conditions within the through-site link.

The wind conditions for the through-site link are governed by the pressure difference between the entrances from the east and west. The pressure difference is generated by the massing of the subject and surrounding buildings, as well as the incident wind speed and direction.

The Assessment found that increasing the width of the sky bridge to 20 metres would have negligible impact as the wind conditions are governed by the massing of the building and surrounds. The wind comfort conditions in the link are expected to be classified as suitable for pedestrian standing/walking. All locations are expected to meet the Lawson safety criterion. These wind conditions would be considered suitable for the intended use of the space.

Detailed wind assessment during development assessment stage would be required to quantify Arup's qualitative advice and ensure appropriate wind conditions are achieved in the final design of the buildings.

Why is the sky bridge required?

Ethos Urban prepared an Economic Assessment on behalf of Mirvac in support of their planning proposal request. The Economic Assessment explains that tenant demands and requirements within the commercial office market are continually evolving. In recent times, there has been a move towards more open plan, flexible spaces that provide collaborative workspaces, seamless integration with technology and incorporate sustainable initiatives. There has been a heightened focus on employee and tenant wellness, and the impact that buildings can have on overall human health.

A key demand driver in metropolitan office markets is the provision of prime office stock across large contiguous floorplates. This is due to requirements of modern occupiers and businesses that typically prefer large contiguous spaces, allowing a company to locate on one, or more interconnected floors rather than across multiple levels. This is beneficial for corporate headquarters and major occupiers who seek to establish a head office and seek improved connectivity, collaboration as well as workplace flexibility that appeals to their broad workforce.

Information provided by Mirvac to Ethos Urban indicate that current levels of enquiry in Green Square to date has been for larger users looking for campus sized floorplates of 2,000 square metres or larger. Tenant interest has ranged from occupiers from the finance sector, education (universities), large corporates for 'back of house' operations as well as Government departments.

Will the sky bridge affect the provision of the through site link?

In conjunction with the amendment to the Town Centre LEP, an amendment to the Town Centre DCP is also proposed to reflect the changes to the LEP. The Draft DCP will continue to identify a through site link between the buildings from Botany Road to Hinchcliffe Street, which is required to be provided at ground level with a height of 10 metres (up to level 2). The DCP will also identify the maximum width of the sky bridge as 20 metres, to ensure sufficient setbacks from Botany Road and Hinchcliffe Street can be achieved.

In 2013, Council entered into a voluntary planning agreement (VPA) with Mirvac and Landcom, the then owner of the sites, for the carrying out of work in the Town Centre. The VPA provides for the developer to undertake infrastructure work, pay monetary contributions as well as dedicate land to the City.

The VPA requires the developer to register an easement to allow access for the public along the east-west through site link on the Botany Road site. The VPA requires the easement be 6 meters wide and clear to the sky, except for a 3 metre wide sky bridge.

The proposed change to the planning controls will not affect the developer's obligation to provide an easement for public access to the through site link. If this planning proposal proceeds, Council officers will investigate whether the change to the built form controls necessitate an amendment to the VPA.

5.1.2. Built form – Bourke Street site

This planning proposal makes no change to the built form of the Bourke Street site. Internal arrangement of the floor space at the lower levels will be subject to a future development application.

5.1.3. Land use

Botany Road site

Currently, most of the floor space achievable on the Botany Road site is limited to providing office or business uses by the Town Centre LEP. This planning proposal amends clause 4.4A(2)(a) of the LEP to broaden the range of potential land uses that can be achieved on the site. The purpose of the proposed change is to increase the flexibility of the site and increase the viability and prospect of these commercial sites being delivered in the short to medium term. Importantly, increasing the flexibility of uses will:

- enable a range of complementary uses to support the commercial and business floor space on the site; and
- increase the potential range of tenants to occupy the commercial and business floor space on the site.

The justification for each proposed land use is included in Draft DCP below.

New land use	Justification
Centre-based child care facilities and Health service facilities	This planning proposal is to allow 'child care facilities' and 'health service facilities' as permissible uses of the additional floor space available under Clause 4.4A. There is no maximum amount of floor space for these uses proposed. Child care facilities and health service facilities are a use complementary to business premises and office premises. The potential for a child care facility in the building would provide flexibility to meet the future needs of tenants. Child care facilities and health-service facilities are population-serving uses which can help meet the needs of surrounding workers and residents.
Educational establishments	This planning proposal is to allow 'educational establishments' as permissible use of the additional floor space available under Clause 4.4A. There is no maximum amount of floor space for this use proposed. The Economic Assessment states the location of the Botany Road site, within a planned mixed use and high-density area, would provide an ideal location for a vertical school and would be fitting given the context of the surrounding built form of the Town Centre. The Economic Assessment also states that the ability to provide tertiary educational facilities such as university on the site is considered high, reflecting the locational drivers but also potential clustering and knowledge sharing benefits on offer. An education facility on the site would be consistent with the intention of this site to provide for employment growth and to increase activity in the town centre.
Retail premises (up to a total of 1,500 sqm)	This planning proposal is to allow 'retail premises' as a permissible use of the additional floor space available under Clause 4.4A. A maximum limit of 1,500 square metres is proposed to ensure other important commercial, business and population serving uses are not displaced by retail, a significant amount of which is accommodated elsewhere in the Town Centre. It is noted the planning proposal request sought 2,500 square metres of additional floor space for the purposes of retail premises. However, on assessment there was concern this would be at the expense of other uses on the site.

	It is also noted the mapped FSR of 0.3:1 on the Botany Road site enables approximately 1,300 square metres of floor space to be used for any use permissible in the B4 zone, including retail premises. It is considered the 1,300 square metres of mapped floor space, and the 1,500 square metres of additional retail proposed under Clause 4.4A (a total of 2,800 square metres) is sufficient retail to support the needs of the building's occupants.
Entertainment facilities and function centres (up to a total of 2,500 sqm)	Entertainment facilities and function centres are permitted with consent in the B4 Mixed Use zone. The planning proposal request identified that communal entertainment facilities and function centres may be an attractive offering to potential tenants. The request considered the two uses similar in nature and collectively could take up one floor of the building. One floor of entertainment facilities and function centres is considered complementary to the business and office uses on the site. This planning proposal enables up to 2,500 sqm additional floor space to be used for either entertainment facilities or function centres.
Recreation facilities (indoor) (up to total of 1,500 sqm)	This planning proposal is to allow 'recreation facilities (indoor)' as a permissible use of the additional floor space available under Clause 4.4A. A maximum limit of 1,500 square metres (equivalent to approximately half a floor of a building on the site) is proposed to ensure other important commercial, business and population serving uses are not displaced. The planning proposal request identified that there may be a demand for floor space within the building for the purposes of a gym, exercise rooms or potentially a swimming centre, sports courts or similar. A gym of similar recreation centre is considered complementary to the business and office uses on the site if the quantum of floor space is limited.

Table 1 Justification for amendment to clause 4.4A(2)(a)

As outlined in Draft DCP, providing a greater flexibility of uses will improve the site's ability to provide commercial office floor space that is aligned with current market demand and tenant needs, while also enabling the delivery of other uses that align with and support commercial office floor space.

Bourke Street site

Clause 4.4A(2)(d) of the Town Centre LEP provides for 4,200 square metres of additional floor space on the Bourke Street site to be used only for the purposes of office premises, business premises, entertainment facilities and centre-based childcare facilities. This planning proposal is to amend the LEP to allow the 'additional floor space' to be used for:

- information and education facilities

- artisan food and drink industry
- recreation facilities (indoor)

Development consent was granted for the Bourke Street site on 20 June 2019 (D/2017/564) for the purposes of a mixed-use development comprising retail, commercial, entertainment and residential uses. The detailed design included approximately 2,000sqm of entertainment facility floor space in the form of a 5-screen cinema complex, in addition to other retail and commercial space within the development.

The approved development application for the site relies on 'additional floor space' allocated for an entertainment facility and includes a cinema. However evolving preferences for entertainment and COVID-19 are affecting the cinema market and use of that floor space in the short to medium term.

Mirvac's catchment analysis identified there is local demand for entertainment and recreation uses, contemporary music and architecture and design sectors for uses such as a creative bar, distillery or brewery, fashion design and textile incubator, and digital services.

The planning proposal request intends to introduce flexibility for the use of floor space which in the approved development application was to be used for a cinema. These additional uses do not derogate from the intended outcomes of this site, which are to provide recreational activities and to realise the Town Centre as an activated and desirable place to live, work and visit.

Figure 12 illustrates a potential concept to repurpose the cinema floor space for these alternative uses. The reference design demonstrates a potential distribution of new uses in the space and maintains the volume necessary to allow the space to be utilised for a cinema use in the future. A provision in the Draft DCP includes a requirement that development on the Bourke Street site be designed to include floor space which can be adapted to a cinema in the future.

Figure 12 Concept to repurpose cinema floor space

These additional uses are intended to facilitate a more flexible use of floor space to realise the Town Centre as an activated and desirable place to live, work and visit, with greater flexibility to more closely align to emerging trends.

Why are changes to permitted land use required

Ethos Urban prepared an Economic Assessment to identify the demand requirements for commercial and other supporting land uses in the Town Centre (Attachment A6). While the report was prepared specifically for the Botany Road site, the assessment of the economic need for a range of uses, and the likely economic benefits of these use on the surrounding area, is applicable to all sites within the Town Centre.

The Economic Assessment estimates that employment within the Green Square and City South Village will increase by 15,200 jobs between 2021 and 2036. It is estimated that population-serving and industrial related industries will account for the largest shares of employment growth. To meet the future demand for non-residential floor space, approximately 916,620 square metres of non-residential floor space will be required by 2036.

There is a significant pipeline of development within Green Square, however only a small proportion of that planned development is for non-residential buildings (see Figure 13).

Botany Road site is the only purely commercial building in the Town Centre.

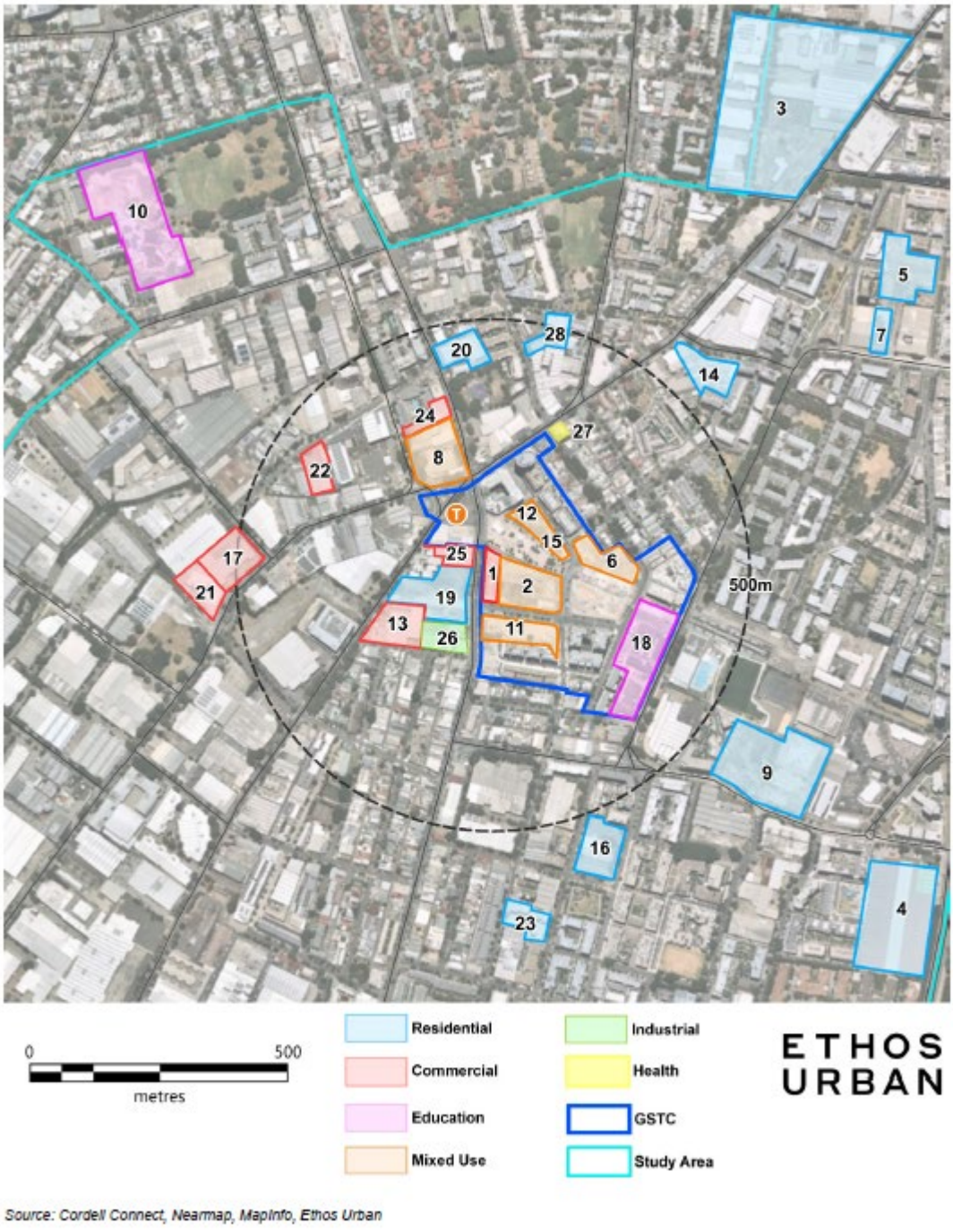

Figure 13 Proposed developments within the Green Square and City South Village

The Economic Assessment outlines that major occupiers that typically locate at South Sydney often select the location due to its proximity to the CBD, Port and Airport, as well as the ability to secure sizeable floorplates at an affordable rate.

The report predicts that the market for commercial office floor space in South Sydney is likely to remain challenging as a result of subdued market demand and the level of new development activity that will continue to occur in the metropolitan and city fringe markets.

Key precincts of most directly competitive relevance to South Sydney would include the city fringe market (Pyrmont, Redfern, Surry Hills, South Eveleigh) as well as Macquarie Park. These markets share several similar characteristics to likely commercial floor space in South Sydney including proximity to the CBD, access to public transport, as well as the ability to provide modern floor space across larger floorplates than is typically achievable in larger core commercial office markets.

Employment zones translation

The Department is working on a simplified employment zones framework that suits the future of work, supports productivity and jobs growth and facilitates delivery of strategic plans and priorities. This involves replacing the existing business and industrial zones with five new employment zones and three supporting zones.

As the planning proposal involves changes to a local provision in the B4 Mixed Use zone, an employment zones translation table is included below.

Requested information	Council response
Description of the relevant land(s) to be subject of the local provision	The relevant local provision applies to two sites within the Town Centre. The legal descriptions of the sites are: • 377- 495 Botany Road, Zetland, being Lot 11 DP 1199427 (future development lot), shown in a dotted red line at Figure 1; and • 960A Bourke Street, Zetland, being Lot 6 DP 1199427 (future development lot), outlined in blue at Figure 1.
The proposed or amended local provision	This planning proposal includes the following changes to the Town Centre LEP: 1. Amend clause 4.4A(2)(a) to add the following land uses which the additional floor space can be utilised for: • centre-based child care facilities, • educational establishments, • health service facilities, • retail premises (up to a total of 1,500 square metres), • entertainment facilities and function centres (up to a total of 2,500 square metres), • recreation facilities (indoor) (up to total of 1,500 square metres). 2. Amend clause 4.4A(2)(d) to add the following land uses which the additional floor space can be utilised for: • information and education facilities; • artisan food and drink industry; and • recreation facilities (indoor).
The intent of the local provision	The intent of the local provision is to broaden the range of non-residential uses that can be provided on the sites, to

Requested information	Council response
	allow for more diverse land uses that support the strategic vision for the Town Centre.
Indicative zoning under the employment zones reform	MU1 – Mixed use
Whether the local provision will still be required under the incoming employment zones	Yes

Table 2: Additional information relating to the proposed local provision

5.1.4. Draft DCP

A draft DCP has been prepared to amend the Town Centre DCP and align it with this planning proposal. The draft DCP does not form part of this planning proposal.

In summary, the draft DCP will

- continue to identify a through site link between the buildings on the Botany Road site (from Botany Road to Hinchcliffe Street), 10 metres in height (the first 2 storeys), which is to be provided to council as an easement for public access at the development application stage;
- limit the length of the sky bridge on the Botany Road site to 20 metres, measured from Botany Road to Hinchcliffe Street. While the overall depth of the buildings is about 29m, the positioning of the sky bridge between the buildings, and the setbacks from the Botany Road frontage and the Hinchcliffe Street frontages is to be determined in the development application process; and
- amend key figures in the Town Centred DCP to facilitate a wider range of uses on the first two storeys on the Botany Road site; and
- require that development on the Bourke Street site be designed to include floor space which can be adapted to a cinema in the future.

The draft DCP will be publicly exhibited alongside this planning proposal, if it receives Gateway determination.

5.2 Need for the planning proposal

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

This planning proposal is a result of a request from the landowner to change the planning controls that relate to the subject sites. The landowner has undertaken and provided economic assessment, wind impact review and urban design analysis to justify the need for an amendment to the planning controls.

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

The Town Centre LEP limits the permissible uses eligible for additional floor space. Allowing additional land uses in line with updated economic analysis requires an amendment to the LEP, and a planning proposal is the only possible way of achieving this.

Amending the height maps with a planning proposal will enable an improved urban design and economic outcome for the delivery of a skybridge than could be achieved under the current height of buildings maps. This can only be achieved by way of a planning proposal.

5.3 Relationship to the strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?

Yes. This planning proposal is consistent with the relevant objectives and actions of the applicable regional or sub-regional strategy as summarised below.

Greater Sydney Region Plan

A Metropolis of Three Cities – The Greater Sydney Region Plan is the Greater Sydney Commission's strategic plan for Greater Sydney. It is a 20-year plan with a 40-year vision, seeking to transform Greater Sydney into a metropolis of three distinct but connected cities: the Eastern Harbour City, the Central River City and the Western Parkland City.

The overarching aspirations of this strategy are:

- liveability;
- productivity;
- sustainability; and
- infrastructure and collaboration.

This planning proposal is consistent with the following objectives of the Greater Sydney Region Plan:

- Objective 15: The Eastern, GPOP and Western Economic Corridors are better connected and more competitive – Green Square Town Centre is identified in the Region Plan as an important contributor to the Eastern Economic Corridor. By enabling development of two sites in the Town Centre this planning proposal contributes to this objective to strengthen the economic opportunities of the Eastern Economic Corridor.
- Objective 22: Investment and business activity in centres - By expanding the additional land uses that can be delivered on the sites, including to health and education uses, this planning proposal is enabling development of two crucial sites to Green Square's economic role as a strategic centre and delivering new floor space for jobs. Expanding the uses that may access additional floor space to education and health uses, among others, will allow Green Square to better attract a diverse range of investment, business activity and jobs and contribute to its role as a strategic centre. Development of two key sites in the Town Centre, including the first purely commercial site, will assist in building wider understanding of the Town Centre as an economic centre and attracting future commercial development and additional floor space for jobs.

Eastern City District Plan

The Eastern City District Plan sets out the Greater Sydney Commission's vision for the Eastern City District, of which the City of Sydney is a part. This planning proposal is consistent with the following planning priorities of the Eastern City District Plan:

- Planning priority E10: Delivering integrated land use and transport planning and a 30-minute city – Delivering retail, commercial and other economic uses in the Town Centre is a crucial part of delivering the 30-minute city vision for the City South. As a well-connected area at the centre of public transport, road, cycling and pedestrian networks in the City South area, commercial and retail floor space in the Town Centre will allow residents convenient access to jobs, shops and the services they need within short travel distances. This planning proposal enables the development of a major commercial site in the Town Centre, as well as a site with a retail and commercial component in a central and high visibility location in the Town Centre. By widening the land uses that can access additional

floor space, this planning proposal will allow the Town Centre to support a more diverse range of services and economic activity for residents in the wider area.

- Planning priority E11: Growing investment, business opportunities and jobs in strategic centres - This planning proposal will enable development of two key sites for the Green Square Town Centre and unlock their contribution to growth of jobs and economic activity in the Green Square – Mascot strategic centre. Development of a commercial site in the Town Centre will encourage additional commercial development through spill over effects and better recognition of the Town Centre as an emerging economic and business centre.

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

Yes. This planning proposal is consistent with relevant local strategies and plans as summarised below.

Sustainable Sydney 2030

Sustainable Sydney 2030 is the vision for sustainable development of the City of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of the City. The plan outlines the City's vision for a green, global and connected city and sets targets, objectives and actions to achieve this vision. This planning proposal is aligned with the following relevant strategic directions and objectives:

- **A globally competitive and innovative city, including:**

1.1 Plans are in place to accommodate growth and change in the city centre and other key economic areas

1.2 The city economy is competitive, prosperous and inclusive

1.3 The city economy is an integrated network of sectors, markets and high performing clusters

1.5 The city enhances its global position and attractiveness as a destination for people, business and investment

- **Resilient and inclusive local communities, including:**

6.3 Local economies are resilient, meet the needs of their community, and provide opportunities for people to realise their potential

City Plan 2036: Local Strategic Planning Statement

The City of Sydney Local Strategic Planning Statement (planning statement), adopted by Council in February 2020, sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City's vision for a green, global and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls.

In giving effect to the planning statement, this planning proposal delivers on the following priorities and actions:

- Action L2.1: Plan for local communities to be able to access daily needs and essential services, including fresh food and health and personal services, within walking distance by providing an appropriate mix of uses, including local retail, services, infrastructure and recreation, in local and neighbourhood centres and mixed-use zones supported by adequate floor space on the ground floor (and adjacent floors where appropriate).

  By widening the uses that can take up additional floor space on sites in the Town Centre this planning proposal will enable a wider range of businesses and services to establish in a well located area within easy walking distance of residents.

- Action G1.6: Ensure planning proposal requests are consistent with the 'Principles for Growth'.

  This planning proposal aligns with the strategic principles for growth, particularly the principle that proposals must give consideration to strategically valuable land uses that are under-provided by the market, and the principle that proposals must not compromise non-residential development needed to meet employment targets for centres.

  This planning proposal does not involve additional development capacity so does not require a full assessment against all the principles for growth to be consistent with the Local Strategic Planning Statement.

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

This planning proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 3.

State Environmental Planning Policy	Comment
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 33—Hazardous and Offensive Development	Not applicable.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP No 64—Advertising and Signage	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Apartment Development	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent. This Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
SEPP (Aboriginal Land) 2019	Not applicable.
SEPP (Activation Precincts) 2020	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent. This Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - This planning proposal will not contradict or hinder application of this SEPP. planning proposal

SEPP (Coastal Management) 2018	Not applicable.
SEPP (Concurrences and Consents) 2018	Consistent – This planning proposal will not contradict or hinder application of this SEPP.
SEPP (Educational Establishments and Child Care Facilities) 2017	Consistent – This Planning proposal will enable development for educational establishments and child care facilities on the Botany Road site, and does not hinder application of the SEPP for future development or contradict the objectives of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP (Gosford City Centre) 2018	Not applicable.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - This planning proposal will not contradict or hinder application of this SEPP
SEPP (Infrastructure) 2007	Consistent - This planning proposal will not contradict or hinder application of this SEPP.
SEPP (Koala Habitat Protection) 2020	Not applicable.
SEPP (Koala Habitat Protection) 2021	Not applicable.
SEPP (Kosciuszko National Park— Alpine Resorts) 2007	Not applicable.
SEPP (Kurnell Peninsula) 1989	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
SEPP (Primary Production and Rural Development) 2019	Not applicable.
SEPP (State and Regional Development) 2011	Not applicable.
SEPP (State Significant Precincts) 2005	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Three Ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
SEPP (Vegetation in Non-Rural Areas) 2017	Not applicable.

SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.

Table 3 Consistency with SEPPs

Q6. Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?

This planning proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 4.

Ministerial Direction	Comment
1. Employment and Resources	
1.1 Business and Industrial Zones	This planning proposal is consistent with this Direction and meets its objectives to encourage employment growth in suitable location and support the viability of identified centres.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Management	Not applicable
2.3 Heritage Conservation	The sites subject to this planning proposal do not contain a heritage item and are not within a heritage conservation area. The sites are within an area that has been subject to significant planning and heritage investigation in recent times, so the existing environmental planning instruments that apply to the land are sufficient to protect environmental and Indigenous heritage.
2.4 Recreation Vehicle Areas	Not applicable
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable
2.6 Remediation of Contaminated Land	Both sites are subject to an overarching Remediation Action Plan (RAP) prepared by JBS&G in 2013. This RAP concludes that the sites can be made suitable for the intended uses, including the expanded uses permissible with this planning proposal, if the measures recommended in the RAP are implemented. One of these

	measures are for specific RAPs to be prepared for each site. A RAP was submitted as part of the approved development consent for the Bourke Street site, which concludes that the site can be made suitable for mixed uses if remediated and managed in accordance with the RAP. The Botany Road site has not been subject to a previous consent so there is no previous RAP on file. However, in accordance with the overarching RAP for the Town Centre one will be required as part of any future development application.
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	This planning proposal continues an existing planning control which limits delivery of residential development on the Botany Road site. The planning proposal does not contain provisions which further reduce the permissible residential density of this site, so is consistent with the Direction.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.4 Integrating Land Use and Transport	This planning proposal is consistent with this Direction and meets its objectives by enabling development of housing, jobs and services in a location well served by public transport, cycling and pedestrian networks.
3.5 Development Near Regulated Airports and Defence Airfields	This planning proposal does not involve changing existing height controls in a way that will affect the effective and safe operation of Sydney Airport. The height control change is limited to how a sky bridge can be delivered, which will continue to be lower than the permissible height of the two buildings it links.
3.6 Shooting Ranges	Not applicable
3.7 Reduction in non-hosted short-term rental accommodation period	Not applicable
4. Hazard and Risk	
4.1 Acid Sulfate Soils	The objective of this Direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils. Both sites are categorised as Class 5 areas, where acid sulfate soils are not typically found. This planning proposal does not involve intensification of land uses on the subject sites.

4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flooding	Consistent. The Botany Road site is identified to be affected by all three of these events to varying extents. This planning proposal does not include increasing the density of the Botany Road site and does not include expanding the permissibility of uses under its B4 – Mixed Use zoning. This planning proposal does introduce the ability for centre-based childcare facilities and health services facilities (including hospitals) to access additional floor space on the Botany Road site. The Direction says these land uses cannot be permitted on flood affected land where the occupants of the development cannot effectively evacuate. The flood modelling does not result in total inundation of the site and surrounding streets, so measures to ensure evacuation is a consideration for a detailed development application that includes these specific land uses. Childcare facilities and health services facilities are already permissible with consent within the B4 Mixed Use zone. The consideration of appropriate uses for the site would have been considered during the rezoning of the Town Centre. Additional flood level planning and/or evacuation paths will be considered during the development application stage. The Bourke Street site is not identified to be affected by flooding in the City's forecast 5% or 1% annual exceedance probability flood events, or a probable maximum flood event.
4.4 Planning for Bushfire Protection	Not applicable
5. Regional Planning	
5.2 Sydney Drinking Water Catchments	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.9 North West Rail Link Corridor Strategy	Not applicable

5.10 Implementation of Regional Plans	This planning proposal is consistent with the Region Plan, as discussed in detail under question 3 (above) of the planning proposal.
5.11 Development of Aboriginal Land Council land	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Consistent. This planning proposal does not include concurrence, consultation or referral provisions or identify any developments as designated development.
6.2 Reserving Land for Public Purposes	Not applicable
6.3 Site Specific Provisions	Inconsistent. This planning proposal maintains detailed urban design planning for the Green Square Town Centre. This is required to meet the original master planned vision for the Town Centre and ensure all lots develop in a cohesive and sympathetic manner. The site-specific provisions are the only way to achieve the original master planned vision for the Town Centre.
7. Metropolitan Planning	
7.3 Parramatta Road Corridor Urban Transformation Strategy	Not applicable
7.4 Implementation of North West Priority Growth Area – Land Use and Infrastructure Implementation Plan	Not applicable
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land use and Infrastructure Implementation Plan	Not applicable
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable
7.7 Implementation of Glenfield to Macarthur Urban renewal Corridor	Not applicable
7.8 Implementation of Western Sydney Aerotropolis Plan	Not applicable
7.9 Implementation of Bayside West Precincts 2036 Plan	Not applicable
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable

7.11 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable
7.12 Implementation of Greater Macarthur 2040	Not applicable
7.13 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable

Table 4 Consistency with Section 9.1 Ministerial Directions

5.4 Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?
No. it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of this planning proposal.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?
There any no other likely environmental effects as a result of the planning proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?
Yes. This planning proposal addresses the social and economic effect of the proposed changes in Section 5.1. An economic assessment of the proposed changes is provided at Attachment C.

5.5 State and Commonwealth interests

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

Yes. This planning proposal does not increase the demand for public infrastructure.

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

To be determined in further consultation with public authorities following Gateway determination.

6. Mapping

This planning proposal is to amend the Height of Buildings Map in the Town Centre LEP as shown at Figure 14.

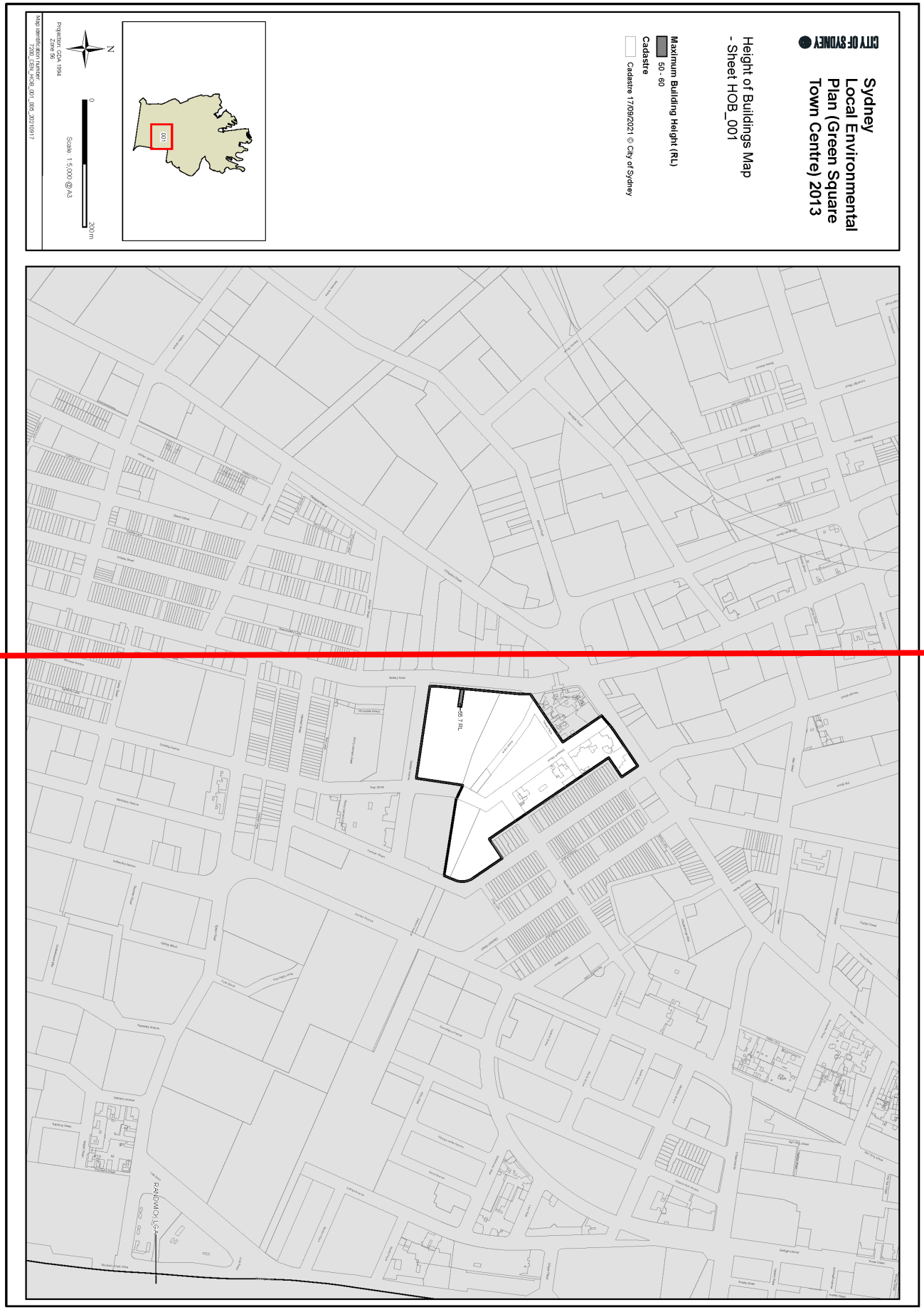
CITY OF SYDNEY
Sydney Local Environmental Plan (Green Square Town Centre) 2013
Height of Buildings Map - Sheet HOB_001
Maximum Building Height (RL)
50 - 60
Cadastre
Cadastre 17/09/2021 © City of Sydney
Projection: GDA 1994 Zone 56
Map identification number: 7280_COM_HOB_001_060_20210917
Scale 1:5,000 @ A3
0
200 m
N
001
55.7 RL
RANDWICK LGA

Figure 14 Proposed change to Height of Buildings Map (replacement map which includes context)

7. Community consultation

Public consultation will be undertaken in accordance with the requirements of the Gateway determination.

It is proposed that, at a minimum, this will involve the notification of the public exhibition of this planning proposal on the City of Sydney website and in writing to the owners and occupiers of adjoining and nearby properties and relevant community groups.

It is expected this planning proposal will be publicly exhibited for at least 28 days.

It is proposed that exhibition material will be made available on the City of Sydney website.

Consultation with relevant NSW agencies and authorities and other relevant organisations will be undertaken in accordance with the Gateway determination.

8. Project timeline

The anticipated timeline for completion of this planning proposal is as follows:

Stage	Timeframe
Gateway determination	December 2021
Public exhibition and government agency consultation	January 2022 - February 2022
Consideration of submissions	March 2022
Post exhibition consideration of proposal by Council / CSPC	May 2022
Drafting of LEP provisions	June 2022
Finalisation of LEP and DCP	July 2022