

## Item 5.

### **Public Exhibition - Planning Proposal - 242-258 Young Street, Waterloo - Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide**

**File No: X093892**

#### **Summary**

The Green Square urban renewal area is Australia's largest urban renewal area and features the Green Square Town Centre at its heart. The urban renewal area is forecast to grow at an annual rate of 4.4 per cent, to about 63,000 people in 2036. This will include a significant increase in the school aged population.

Planning Proposal - 242-258 Young Street, Waterloo (the planning proposal) has been prepared at the request of Sustainable Development Group Ltd (the proponent). The planning proposal is to facilitate the redevelopment of 242-258 Young Street, Waterloo (the site) for a six-storey building comprising a K-12 independent school and an integrated film school (that is already located on the site).

The proposed changes to building height and floor space ratio controls for the site will enable development that has a good contextual fit with adjacent development. The planning proposal will deliver essential social infrastructure to support the population growth. It will contribute to the availability of school places and increase the diversity of schools in the area. Increasing the provision of infrastructure that is aligned with population growth is a key strategic priority across City and State strategies.

The proponent has submitted a public benefit offer to enter into a planning agreement to deliver two new pedestrian crossings on Young and Powell Streets. This is in addition to any required contributions under the City of Sydney Contributions Plan 2015. The public benefit offer will facilitate the delivery of an improved pedestrian environment on Hunter and Young Street.

This report recommends approval of the planning proposal for submission to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination, followed by public exhibition. It also recommends that a draft Design Guide is endorsed for exhibition, and a draft planning agreement be prepared based on the public benefit offer. It is expected that all documents are exhibited concurrently.

## Recommendation

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal - 242-258 Young Street, Waterloo, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;
- (B) the Central Sydney Planning Committee approve Planning Proposal - 242-258 Young Street, Waterloo, as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2024, that Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 242-258 Young Street, Waterloo;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2024, that Council approve the draft Design Guide 242-258 Young Street, Waterloo, as shown at Attachment B to the subject report, for public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 242-258 Young Street, Waterloo, to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any variations to the draft Design Guide 242-258 Young Street, Waterloo, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) the Central Sydney Planning Committee note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 2 May 2024, shown at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

## Attachments

- Attachment A.** Planning Proposal - 242-258 Young Street and appendices
- Attachment B.** Draft Design Guide - 242-258 Young Street, Waterloo
- Attachment C.** Planning Agreement - Public Benefit Offer - 242-258 Young Street, Waterloo - dated 2 May 2024

## Background

1. A planning proposal request has been lodged for a site in Waterloo, within the Green Square urban renewal area. The site is located at 242-258 Young Street, Waterloo, and has street frontages to Young and Hunter Streets, and Powell Street, as shown in Figure 1.



**Figure 1:** Land affected by this planning proposal

2. The two lots comprising the site have a total area of 4,611 square metres. Existing development on the site consists of a one to two storey masonry commercial building and a two-storey building currently in use for a film school.
3. Further details of the site and existing planning controls can be found in Section 1 and Section 2 of the Planning Proposal. Images of the site with the affected buildings is shown at Figure 2 and Figure 3.



**Figure 2:** 242-258 Young Street, viewed from the south-west along Hunter Street, showing masonry building of 1-2 storeys



**Figure 3:** Sydney Film School at 242 Young Street, viewed from the east

4. Following comprehensive pre-lodgement advice, the applicant, Sustainable Development Group Ltd, represented by Ethos Urban, lodged a request to prepare a planning proposal in February 2024.

## Key Implications

### **The proponent has requested increased height and floor space controls to enable a new school, and maintain the existing film school**

5. The proponent has requested a planning proposal be prepared to facilitate the redevelopment of the site to include a six-storey non-residential building up to a maximum height of 25 metres comprising:
  - (a) a six storey non-residential building up to a maximum height of 25 metres;
  - (b) approximately 10,609 square metres of floor space for an independent primary and secondary school, to support 800 students; and
  - (c) approximately 2,935 square metres of floor space with ground floor cafe to retain the existing film school within the new development.
6. Images prepared by the proponent of the indicative development scheme are at Figures 4, 5 and 6.



**Figure 4:** Artistic representation of indicative building envelope - Young Street perspective



**Figure 5:** Artistic representation of indicative building envelope - Hunter Street perspective



**Figure 6:** Artistic representation of indicative design - Powell Street perspective

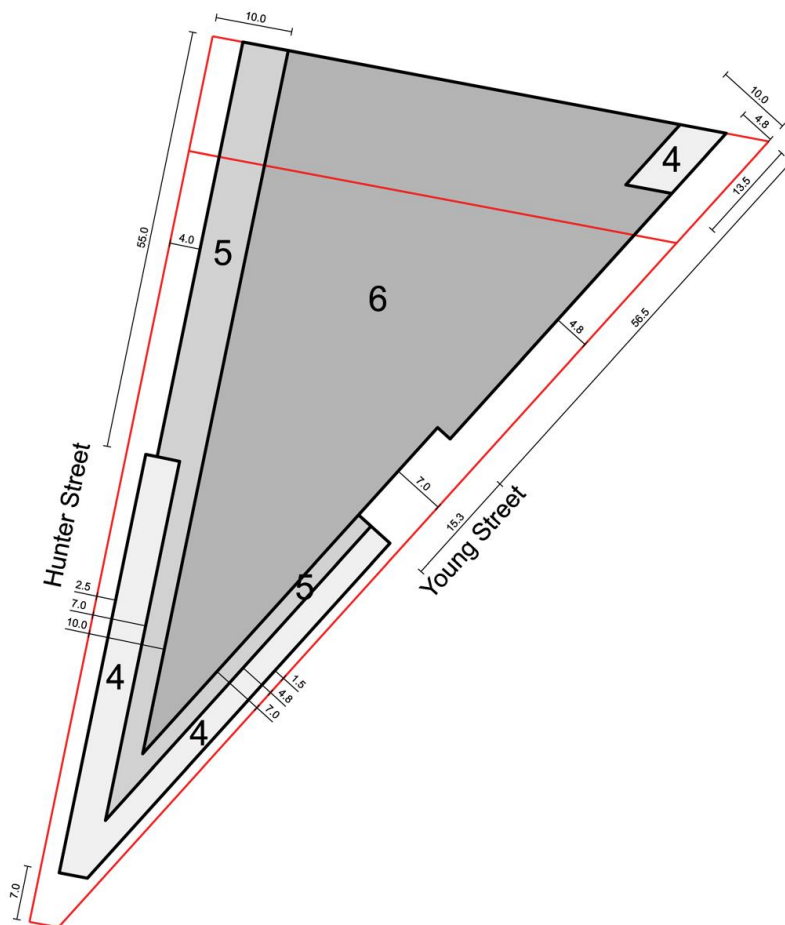
**The City has prepared a planning proposal to increase the height and floor space for a combined primary and secondary school and film school**

7. The planning proposal details the proposed amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) by inserting new site-specific provisions.

8. The provisions are to:
  - (a) permit a maximum building height of 25 metres, an increase from the current control of 15 metres;
  - (b) increase the maximum floor space ratio (FSR) control from a maximum of 2.2:1, inclusive of mapped FSR, community infrastructure floor space and design excellence floor space, to 2.94:1; and
  - (c) require the consent authority to be satisfied that the resulting building would be used primarily for the purpose of an educational establishment.
9. Further explanation of the provisions can be found in Section 4 of the Planning Proposal.

**The Design Guide will make sure the development fits within the area, protects amenity and tree canopy, provides deep soil and improves access and activation**

10. The draft Design Guide - 242-258 Young Street Waterloo (draft Design Guide) is at Attachment B and provides further guidance for development facilitated by this planning proposal. The key provisions in the draft Design Guide include:
  - (a) a maximum building envelope including setbacks, street wall heights and maximum height in storeys (as shown at Figure 7);



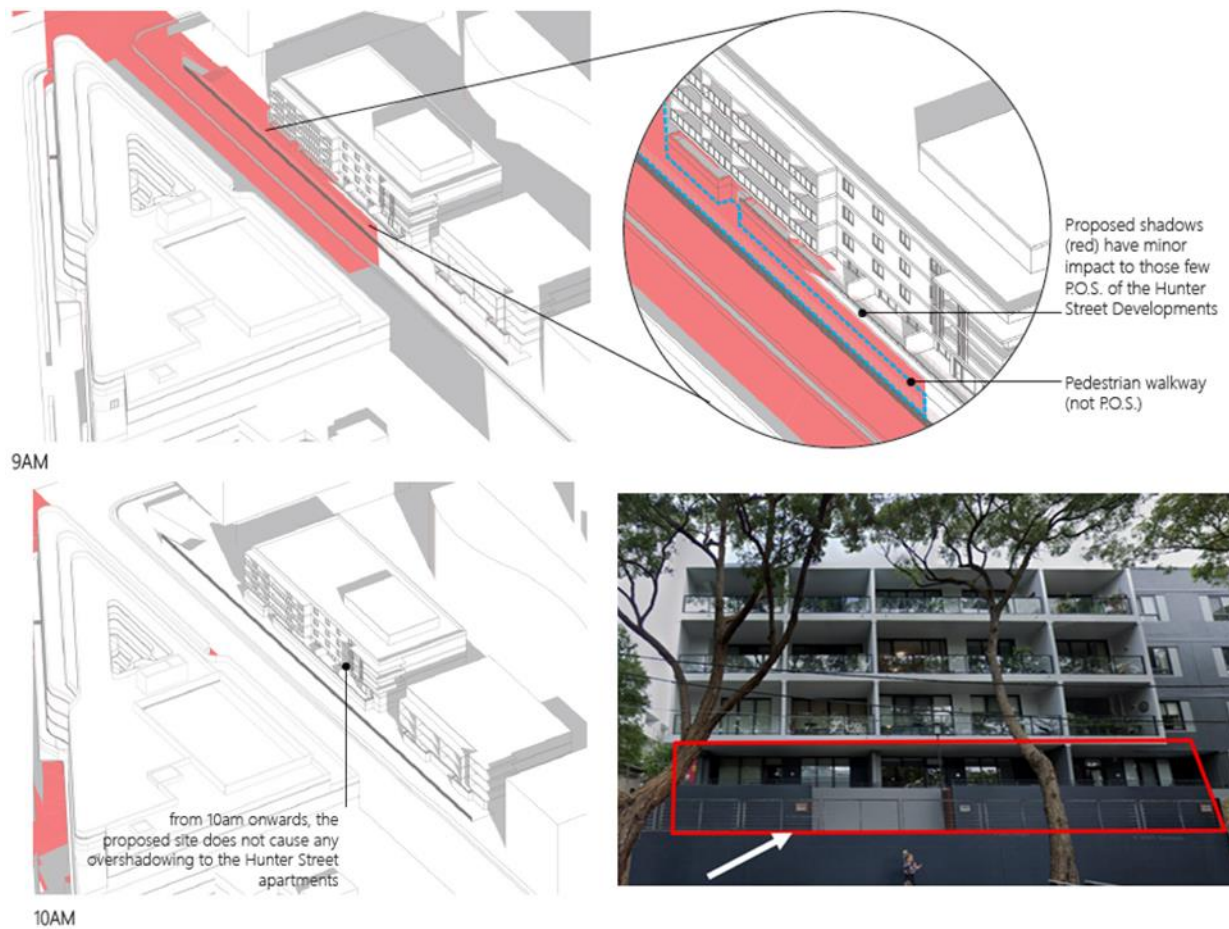
**Figure 7:** Maximum building envelope

- (b) footpath widening setbacks to be dedicated to Council along the majority of the site's boundaries to increase footpath widths from approximately two metres to between 3.5 metres along Young Street and 4.5 metres along Hunter Street;
- (c) detailed controls to manage the retention of trees on and surrounding the site, including pruning;
- (d) landscaped area setbacks to be provided along Hunter and Young Streets with the aim of achieving two areas of deep soil landscaping;
- (e) requirements to provide landscape setbacks to screen boundary walls from public view;
- (f) requirements for servicing, access, parking and active transport and
- (g)** a design excellence strategy.

**The proposal is a good contextual fit and has site-specific merit**

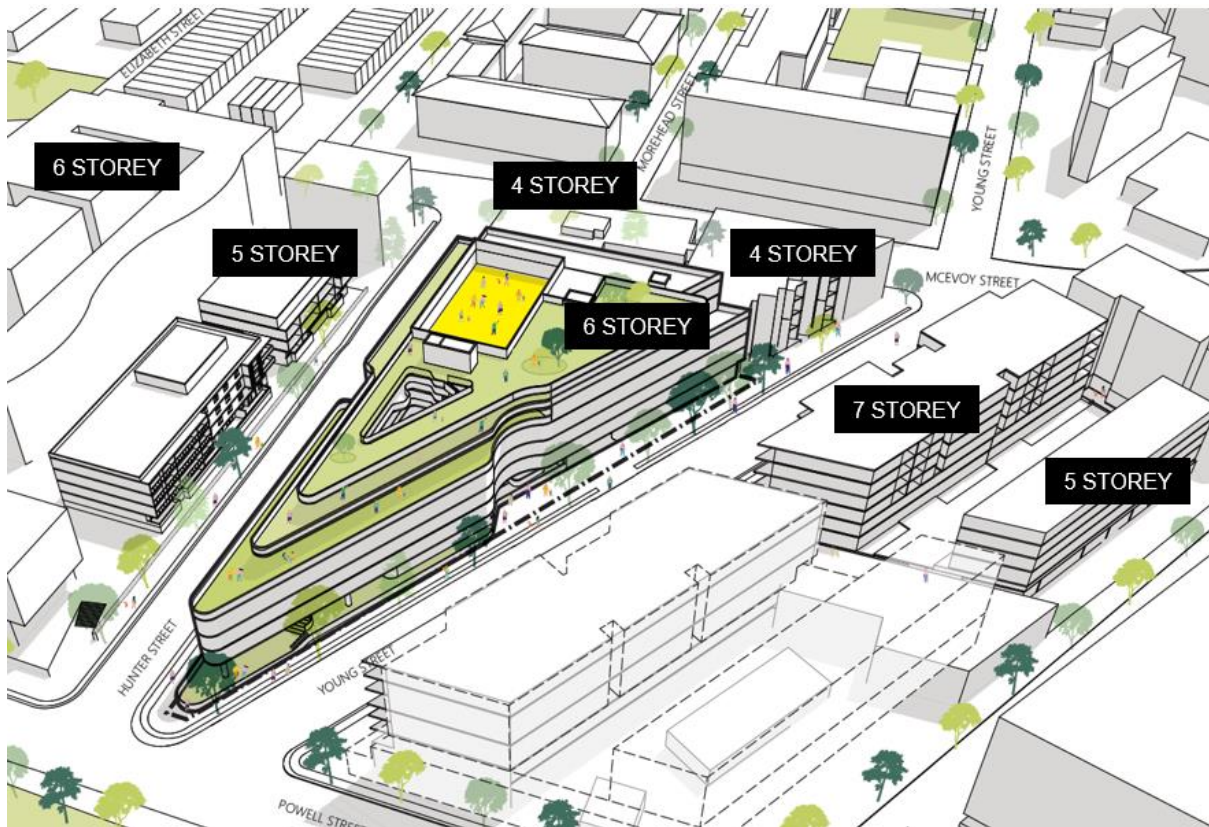
11. The proposed building envelope has been designed to minimise overshadowing to adjacent residential buildings and surrounding sites. It effectively mitigates overshadowing impacts on both the future Woolworths site and the open space south of Powell Street. Specifically, it ensures that during the mid-winter solstice, 70 per cent of the apartments maintain at least two hours of solar access, while more than 85 per cent of the open space area receives a minimum of four hours of sunlight. Figure 8 illustrates the sole overshadowing impact on existing residential development at 9 Hunter Street Waterloo: three apartment balconies experience partial overshadowing between 9 am and 10 am during the mid-winter solstice.





**Figure 8:** Overshadowing impacts - mid-winter solstice - 9 Hunter Street Waterloo Source: Plus Architecture Urban Design Report.

12. The six storey proposal with five and four storey elements is consistent in height with surrounding development as shown in Figure 9. The height at 923-935 Bourke Street Waterloo across Young Street to the west is seven storeys while the height at 7-11 Hunter Street opposite to the east is four to five storeys.



**Figure 9:** Contextual fit. Source: Plus Architecture Urban Design Report.

13. The proposed building envelope has been designed, through setbacks to manage the impact on trees within the and surrounding the site. Of the 33 trees identified on and surrounding the site, eight trees of a low retention value are proposed for removal which are all within the building footprint. Trees of high and medium retention value are retained.
14. The impact of students, staff and visitors moving to and from the site will be managed through a designated drop off and pick up area on Young Street, which can accommodate approximately 6-8 cars. A school bus zone is proposed on Hunter Street for pick-up and drop-off on from Monday-Friday between 8:00am to 9:00am and from 3:00pm to 4:00pm. The separation of parking and the Bus Zones reduces the traffic impacts on any one street.
15. Given the site constraints, playing fields will not be provided on-site. However the proponent has proposed to use Turruwul Park, Rosebery to meet its sporting field requirements. These are the closest sporting fields in the area having capacity within the City's bookings system to support this future use. This requires a 10-15 minute bus ride to move children between the school and the park. Where sporting fields closer to the school become available new arrangements could come into place.
16. The Traffic and Transport Report accompanying the planning proposal indicates that these impacts arising from the proposal are acceptable, particularly given the highly accessible location of the school. The report was updated in response to comments from City's Traffic and Transport team as well as Transport for NSW who have requested refinements to the technical study to regarding intersection analysis, end of trip facilities and mapping of pedestrian and bike networks. Transport for NSW will have an opportunity to review this report during the public exhibition.

17. Further information on the urban design, environmental, social and economic impacts of the planning proposal can be found in Section 5.4 of the planning proposal.

#### **A Voluntary Planning Agreement will deliver an enhanced pedestrian environment**

18. The proponent has offered to enter into a Voluntary Planning Agreement (VPA) with Council to deliver public benefits as part of this planning proposal. The Environmental Planning and Assessment Act 1979 (the Act) allows the proponent to enter into a legally binding Voluntary Planning Agreement with Council. Voluntary Planning Agreements are voluntary and must be freely entered into by the public authority and a proponent. They are also publicly exhibited and held on a publicly accessible register.
19. The letter of offer from the proponent at Attachment C to this report outlines the public benefits. The benefit will be the construction of two pedestrian crossings on Young and Powell Streets on Council land free of cost to Council.
20. This Voluntary Planning Agreement will not offset local infrastructure contributions required under a contributions plan (section 7.11 of the Act), and housing and productivity contributions (division 7.1, subdivision 4 of the Act).
21. The Voluntary Planning Agreement will be prepared and publicly exhibited with the planning proposal.

#### **The planning proposal will facilitate wider benefits in the area**

22. The planning proposal, draft Design Guide and Voluntary Planning Agreement will facilitate the redevelopment of the subject site with the following key benefits:
  - (a) provision of a new independent K-12 school with capacity for approximately 800 students will introduce further diversity into the educational offer in the Green Square area;
  - (b) supporting the retention of creative industry floor space in the City of Sydney through the incorporation of the existing film school into the new development; and
  - (c) delivery of two new pedestrian crossings, improved pedestrian accessibility and safety in the area.

#### **The planning proposal is consistent with City's strategic vision**

23. The City's Local Strategic Planning Statement, City Plan 2036, sets out the 20-year vision for land use planning in the city and the planning priorities and actions needed to achieve the vision.
24. Two of the key priorities are to align development and growth with supporting infrastructure and supporting community wellbeing with social infrastructure. The Green Square-Mascot urban renewal area, which includes Waterloo, is expected to support a significant population increase into the future. It is forecast to grow at an annual rate of 4.4 per cent, to approximately 63,000 people in 2036. School-aged children will also increase by 77 per cent by 2031 within a 2km radius of the site. The proposal will deliver further diversity in the education infrastructure available in Green Square to support this population growth.

25. Sustainable Sydney 2030-2050 Continuing the Vision renews the community's vision for the sustainable development of the city to 2050. It includes 10 strategic directions for the future of the city, as well as 10 targets against which to measure progress. This planning proposal is aligned with the following strategic directions and objectives.
  - (a) Direction 4 - Design excellence and sustainable development - the proposed built form will demonstrate design excellence and architectural interest through a high quality, comfortable, safe and inclusive development for students and the wider community. The design will also integrate the retention of tree and canopy structures on and off-site. The proposal aims to deliver 5-star green star design aspiration, 4-star NABERS rating for schools and will outperform regulatory sustainability standards including NCC Section J - Energy Efficiency and State Environmental Planning Policy (Sustainable Buildings) 2022.
  - (b) Direction 8 - A thriving cultural and creative life -the proposal includes the redevelopment of the existing film school which will support the cultural and creative life of the City.
26. Further information regarding the alignment of the Planning Proposal with the strategic planning framework can be found in Section 5.3 of the Planning Proposal.

### **Relevant Legislation**

27. Environmental Planning and Assessment Act 1979 (Act).
28. Environmental Planning and Assessment Regulation 2021.

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

29. Should Council and the Central Sydney Planning Committee endorse the attached planning proposal for public exhibition, it will be forwarded to the Department of Planning, Housing and Infrastructure in accordance with section 3.34 of the Act for Gateway Determination.
30. The Gateway Determination will provide the required date for the completion of the Local Environmental Plan amendment. Following public exhibition, the outcomes will be reported back to Council and the Central Sydney Planning Committee.

### **Public Consultation**

31. The public exhibition process for this planning proposal will be determined by the Department of Planning, Housing and Infrastructure. It is expected the public exhibition of the planning proposal, draft Design Guide and notification of the planning agreement will run concurrently. The consultation will be in accordance with:
  - (a) the Gateway Determination issued by the Department of Planning, Housing and Infrastructure under section 3.34 of the Act;
  - (b) the Environmental Planning and Assessment Regulation 2021;
  - (c) in relation to the Voluntary Planning Agreement, Section 7.5(2) of the Act; and
  - (d) the City of Sydney's Community Engagement Strategy and Participation Plan.

32. It is likely that the public exhibition for the planning proposal would be a minimum of 20 working days.
33. The planning proposal, draft Design Guide and draft Voluntary Planning Agreement will be publicly exhibited on the City of Sydney website in accordance with the Environmental Planning and Assessment Regulation 2021.

**GRAHAM JAHN AM**

Director City Planning, Development and Transport

Gibran Khouri, Specialist Planner

Kristina Argiropoulos, Cadet Planner