

**904 Bourke Street, Zetland**

Proposal Title : **904 Bourke Street, Zetland**

Proposal Summary : **The planning proposal seeks to amend the building height and floor space ratio controls for 904 Bourke Street, Zetland.**

PP Number : **PP\_2015\_SYDNE\_003\_00**

Dop File No : **15/01523**

**Proposal Details**

Date Planning  
Proposal Received : **05-Jan-2015**

LGA covered : **Sydney**

Region : **Metro(CBD)**

RPA : **Council of the City of Sydney**

State Electorate : **HEFFRON**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

**Location Details**

Street : **904 Bourke Street**

Suburb : **Zetland**

City : **Sydney**

Postcode : **2017**

Land Parcel : **Lot 20 DP 807178, Lots 1-7 SP 49583**

**DoP Planning Officer Contact Details**

Contact Name : **Wayne Williamson**

Contact Number : **0285754121**

Contact Email : **wayne.williamson@planning.nsw.gov.au**

**RPA Contact Details**

Contact Name : **Tim Aldman**

Contact Number : **0292659333**

Contact Email : **Taldman@cityofsydney.nsw.gov.au**

**DoP Project Manager Contact Details**

Contact Name :

Contact Number :

Contact Email :

**Land Release Data**

Growth Centre :

Release Area Name :

Regional / Sub

Consistent with Strategy :

Regional Strategy :

MDP Number :

Date of Release :

Area of Release  
(Ha) :

Type of Release (eg  
Residential /  
Employment land) :

No. of Lots : 0

No. of Dwellings 385  
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Lobbyists Code of  
Conduct has been  
complied with : **Yes**

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Metropolitan Region (East) has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

Have there been meetings or  
communications with  
registered lobbyists? : **No**

If Yes, comment :

### Supporting notes

Internal Supporting Notes : **City of Sydney Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.**

External Supporting Notes : **904 Bourke Street, Zetland is a single landholding located in the Green Square Urban Renewal Area. It is situated to the north east of the proposed Green Square Town Centre and to the west of the Victoria Park precinct.**

**The site is zoned B4 Mixed Use, is irregular in shape with a narrow 20 metre frontage to Bourke Street and a total site area of approximately 14,680 square metres.**

**The site is adjacent to the Zetland Estate Heritage Conservation Area.**

## Adequacy Assessment

### Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives of the proposal are to:**

- enable the redevelopment of 904 Bourke Street, Zetland for residential and storage uses;
- ensure redevelopment responds sympathetically to the adjacent Heritage Conservation Area;
- ensure redevelopment serves as a transition between taller development to the north of the site and lower scale development to the south of the site;
- allows delivery of significant public domain improvements including new public open space, a new street and pedestrian and cycle links; and
- ensures adequate solar access to existing neighbouring properties, the new development and public open spaces.

### Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to amend planning controls in Sydney LEP 2012 as follows:**

- amend height of buildings maps to amend the existing 15 metres height limit across the

whole site to a range of heights from 3 metres to 42 metres;  
 • amend floor space ratio maps to decrease the community infrastructure floor space bonus from 0.5:1 to 0.25:1; and  
 • include a new local clause to enable an additional 0.25:1 FSR above that shown in the floor space ratio map for development for the purposes of 'commercial premises' provided development is contained wholly within the basement and does not affect proposed building envelopes.

The overall achievable FSR on the site will be 2.2:1.

Is noted that the proposed redevelopment of the site includes storage premises, which is not covered by the commercial premises land use. The Gateway will contain a condition to cover this oversight.

#### Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

\* May need the Director General's agreement

#### 2.3 Heritage Conservation

##### 3.1 Residential Zones

##### 3.3 Home Occupations

##### 3.4 Integrating Land Use and Transport

##### 4.1 Acid Sulfate Soils

##### 4.3 Flood Prone Land

##### 6.1 Approval and Referral Requirements

##### 6.3 Site Specific Provisions

##### 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 6—Number of Storeys in a Building

SEPP No 22—Shops and Commercial Premises

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 33—Hazardous and Offensive Development

SEPP No 55—Remediation of Land

SEPP No 60—Exempt and Complying Development

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SEPP (Affordable Rental Housing) 2009

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

**The proposal is not considered to be inconsistent with any SEPPs or section 117 Directions.**

**Compliance with SEPP55 will require a detailed assessment of contamination at the development application stage.**

**The site is currently zoned B4. While the current use of the site is employment based, the proposed mixed use development is permissible in the zone and will retain a commercial employment component.**

### Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping is adequate.**

### Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the requirements of the Gateway Determination. Council suggests an exhibition period of 28 days.**

#### **PROJECT TIMELINE**

**Council's estimated project timeline for completion of the plan is November 2015. The Department considers a 12 month project timeline for completion is adequate.**

### Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

### Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

## Proposal Assessment

### Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **The Sydney LEP 2012 was notified in December 2012.**

### Assessment Criteria

Need for planning proposal : **The proposal is the result of a collaborative urban design process between JQZ Consulting (on behalf of the landowner) and City of Sydney Council.**

**The master plan for the site is supported by Council, but exceeds the current height controls. A planning proposal is required to amend the Sydney LEP 2012 height of buildings map.**

**A rezoning is not required to accommodate the proposed development.**

Consistency with strategic planning framework :

**Draft Metropolitan Plan for Sydney to 2031**

The proposal is consistent with the Draft Metropolitan Plan as it:

- provides additional housing close to existing and future services and transport and strengthen the planned Green Square town centre;
- delivers a mix of dwelling types including residential apartments and lower-rise terraces;
- supplies public open space on the site for use by the community and encourages community connections among existing and new residents; and
- realises a new street and pedestrian link through the site to improve general pedestrian and vehicular accessibility in the area.

The proposal is consistent with A Plan for Growing Sydney (released on 14 December 2014) as the site will supply housing close to a planned strategic centre, jobs and public transport. The Gateway determination will be conditioned to amend the proposal to discuss consistency with this plan as opposed to the draft Metropolitan Strategy for Sydney to 2031.

**Draft Sydney City Subregional Strategy**

The proposal will facilitate upgrades to the public domain, including the provision of public open space by delivering a new internal street and pedestrian and cycle connections.

The proposal is consistent with several objectives of Council's Sustainable Sydney 2030 Strategic Plan.

Environmental social economic impacts :

There is a single large Moreton Bay Fig tree in the western boundary of the site fronting McPherson Lane, which is listed on the City of Sydney's Significant Tree Register and is required to be retained and protected. This proposal provides the opportunity for the enhancement of local biodiversity through the establishment of a new public open space, landscaped setbacks and new street trees.

**Residential Amenity**

The proposed building heights and public domain layout were established through a detailed urban design study and master planning process. Detailed overshadowing analysis of the master plan was undertaken to ensure compliance with solar access and overlooking provisions of the Residential Design Flat Code. Compliance with overshadowing and overlooking will be achieved through limiting taller built form to the centre of the site and providing for 2 and 3 storey buildings around the western and southern boundaries of the site.

**Traffic and Transport**

A detailed traffic and transport study was undertaken to identify alternative street network layouts which could deliver suitable access to and connectivity through the site, while ensuring impacts of any increases in traffic on the surrounding residential areas were minimised. The study concludes that the proposed development will not result in significant adverse impacts on the local road network.

**Contamination**

The site is currently occupied by industrial and commercial uses which may have an associated risk of contamination. Detailed assessment of contamination will be required at the development application stage.

**Flooding**

Council is currently developing a Flood Management Study and Plan for the wider Alexandria Canal Catchment within which the site is located. Council has confirmed the site is not subject to significant flooding issues.

**Commonwealth Agency Consultation**

The Sydney Airport Obstacle Limitation Surface for the site is 51m AHD. This proposal seeks to allow development up to approximately RL 63 on the site. Therefore, consultation with the relevant Commonwealth body will be required under Clause 7.16 of the Sydney

LEP 2012 as part of the development assessment process. The proposal also suggests consultation with Sydney Airport during the public exhibition.

### Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage  
Transport for NSW  
Transport for NSW - Roads and Maritime Services  
Sydney Water  
Other**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

**No internal consultation required**

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **The site is well serviced by the full range of public utilities including electricity, telecommunications, water, sewer and stormwater. It is expected that these services will be upgraded where required by the developer**

### Documents

| Document File Name                                     | DocumentType Name               | Is Public  |
|--------------------------------------------------------|---------------------------------|------------|
| <b>Council Letter - 904 Bourke Street, Zetland.pdf</b> | <b>Proposal Covering Letter</b> | <b>Yes</b> |
| <b>Planning Proposal.pdf</b>                           | <b>Proposal</b>                 | <b>Yes</b> |
| <b>Urban Design Study part 1.pdf</b>                   | <b>Study</b>                    | <b>Yes</b> |
| <b>Urban Design Study part 2.pdf</b>                   | <b>Study</b>                    | <b>Yes</b> |
| <b>Urban Design Study part 3.pdf</b>                   | <b>Study</b>                    | <b>Yes</b> |
| <b>Urban Design Study part 4.pdf</b>                   | <b>Study</b>                    | <b>Yes</b> |

### Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation  
3.1 Residential Zones  
3.3 Home Occupations  
3.4 Integrating Land Use and Transport  
4.1 Acid Sulfate Soils  
4.3 Flood Prone Land**

**6.1 Approval and Referral Requirements**

**6.3 Site Specific Provisions**

**7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :

**It is recommended that the planning proposal proceed, subject to the following conditions:**

**1. The planning proposal be publicly exhibited for a period of not less than 28 days.**

**2. Council is to consult with:**

- Transport for NSW;
- Roads and Maritime Services;
- Office of Heritage;
- Sydney Water; and
- Sydney Airport.

**3. A public hearing is not required.**

**4. Prior to exhibition, the planning proposal should be amended to expand the possible basement uses to "Commercial premises and Storage premises".**

**5. Prior to exhibition, the planning proposal is to be revised to demonstrate consistency with A Plan for Growing Sydney.**

**6. The planning proposal is to be finalised within 12 months from the date of the gateway determination.**

Supporting Reasons :

**The proposal is supported as it will supply housing choice close to a planned strategic centre, jobs and public transport.**

Signature:



Printed Name:

Sandy Shewell

Date:

3.2.15