

Lachlan Precinct, Waterloo, Green Square

Proposal Title : **Lachlan Precinct, Waterloo, Green Square**

Proposal Summary : **The planning proposal seeks to make the following amendments to the Sydney LEP 2012 for the Lachlan Precinct, bounded by Lachlan Street, Bourke Street, South Dowling Street and O'Dea Avenue, Waterloo:**

- **rezone land from Mixed Uses Zones 10(b) and 10(e) under South Sydney LEP 1998 to B4 Mixed Use;**
- **translation of 1.5:1 FSR from South Sydney LEP 1998;**
- **introduction of FSR incentives for commercial and retail development and design excellence;**
- **translation of height in metres from South Sydney LEP 1998 to "reduced levels" on indicative building footprints in Sydney LEP 2012;**
- **list heritage item 866-882 Bourke Street in schedule 5; and**
- **integration of appropriate controls for the precinct in the following maps: heritage; locality and site identification; acid sulphate soils; special character areas; land reservation; land use and transport integration; and public transport accessibility.**

PP Number : **PP_2014_SYDNE_002_00**

Dop File No :

14/06342

Proposal Details

Date Planning
Proposal Received : **01-May-2014**

LGA covered :

Sydney

Region : **Sydney Region East**

RPA :

Council of the City of Sydney

State Electorate : **SYDNEY**

Section of the Act :

55 - Planning Proposal

LEP Type : **Precinct**

Location Details

Street : **866-882 Bourke Street**

Suburb : **Waterloo**

City : **Sydney**

Postcode : **2017**

Land Parcel : **Lot 1 DP 169870, Lot 1 DP 81572, Lot 1 DP 956385**

Street : **18-20 O'Dea Avenue**

Suburb : **Waterloo**

City : **Sydney**

Postcode : **2017**

Land Parcel : **Lots 21 & 22 DP 862254**

Street : **30-36 O'Dea Avenue**

Suburb : **Waterloo**

City : **Sydney**

Postcode : **2017**

Land Parcel : **Lot 4 DP 227936**

Lachlan Precinct, Waterloo, Green Square

Street :	11A Lachlan Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lots 221 & 222 DP 1079790, Lots 1-75 SP 74573, Lots 1-48 SP 74572				
Street :	11B Lachlan Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 21 DP 739700				
Street :	40A and 40B O'Dea Avenue				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 11 DP 530422, Lot 12 DP 546231				
Street :	40 and 42 O'Dea Avenue				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lots 9 & 10 DP 530422				
Street :	44-48 O'Dea Avenue				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 1 DP 789878, Lots 1-7 SP 44338				
Street :	50 O'Dea Avenue				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 2 DP 789878				
Street :	2 and 4 Bruce Street, 13 and 15-17 Lachlan Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 3 DP 317851, Lot 2 DP 317851, Lot 1 DP 668228, Lot 1 DP 664690				
Street :	19-21 Lachlan Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 18 DP 610311				
Street :	23 Lachlan Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 1 DP 606445				
Street :	25-27 Lachlan Street, 1-1A, 3 and 5 Amelia Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 1 DP 76985, Lot 4 DP 86722, Lot 14 DP 80326, Lot 100 DP 1171452, Lot 101 DP 1171452, Part Lot 17 DP 610311, Part Lot 17 DP 610311				
Street :	7-19 Amelia Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 1 DP 817715				
Street :	52 O'Dea Avenue				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 3 DP 789878				
Street :	18-22 Amelia Street				
Suburb :	Waterloo	City :	Sydney	Postcode :	2017
Land Parcel :	Lot 1 DP 85781, Lot 1 DP 88230, Lots 21-32 DP 978754				

Lachlan Precinct, Waterloo, Green Square

Street : **24-26 Amelia Street**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 34 DP 79378, Lot 36 DP 79378, Lot 35 DP 79378**

Street : **12 Taylor Street**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 19 DP 79378**

Street : **56-60 O'Dea Avenue**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 2 DP 581676, Lot 2 DP 792163, Lot 201 DP 835758, Lot 11 DP 849026**

Street : **867-877 South Dowling Street**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 10 DP 849026**

Street : **879 South Dowling Street**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 1 DP 792163**

Street : **1-9 Lachlan Street, 2 Sam Sing Street, 830, 832 and 834 Bourke Street, 1 Thread Lane, 1-13, 6 and 10 Archibald Avenue**
Suburb : **Waterloo** City : **Sydney** Postcode : **2017**
Land Parcel : **Lot 45 DP 624898, Lot 104 DP 1172110, Lot 200 DP 1175405, Lot 100 DP 1172110, Lot 401 DP 1177224, Lot 103 DP 1172110, Lot 398 DP 1180150, Lot 399 DP 1180150, Lot 400 DP 1180150, Lot 102 DP 1172110**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**
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RPA Contact Details

Contact Name : **Lila Contziu**
Contact Number : **0292467569**
Contact Email : **lcontziu@cityofsydney.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre : **N/A** Release Area Name : **N/A**
Regional / Sub Consistent with Strategy :
Regional Strategy :

Lachlan Precinct, Waterloo, Green Square

MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings 4,000
(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's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Metropolitan Delivery has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.**

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

External Supporting
Notes : **Council exhibited the proposed controls in July 2010, considered submissions, before exhibiting controls again in Feb-April 2011 as part of the draft Sydney comprehensive LEP. The public exhibitions in 2010 and 2011 raised concerns for development capacity and incentives, built form and public domain requirements. Instead of including the precinct in Sydney LEP 2012, it was deferred so Council could conduct more urban design testing to address community concerns.**

More refined controls were then exhibited in February 2013 as part of the Green Square DCP. To address community concerns Council has introduced an FSR incentives scheme which uses a base FSR of 1.5:1, and will provided an FSR up to 2.5:1 for developments that provide public benefit, including commercial uses, and utilise design excellence. These FSR incentives are based on urban design testing of each site to establish appropriate built form outcomes. The proposed B4 Mixed Use zone and base FSR of 1.5 is a general translation from the South Sydney LEP.

This proposal will allow further community consultation on proposed planning controls, particularly the FSR incentives, for the precinct.

The Lachlan precinct is approximately 170,000sqm with lots ranging in size from 80sqm to 33,000sqm. Its redevelopment will supply approximately 4,000 new dwellings and 15,000sqm of public open space, with a new park called 'Wulaba Park' on the corner of South Dowling Street and O'Dea Avenue. It will also accommodate new stormwater management infrastructure, a new street network, a new light rail corridor and pedestrian and cycle links.

The precinct is currently dominated by industrial and warehouse uses, with a small number of residential sites.

Adequacy Assessment

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

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

Comment : The proposal will facilitate the orderly redevelopment of the precinct, while ensuring adequate infrastructure, public domain and amenity is provided to service the existing community and future development.

The proposal seeks to provide certainty for landowners, the community and stakeholders by providing clear development outcomes. The proposed planning controls are a general translation of controls from Green Square Development Control Plan 1997 as amended in 2012 and 2013.

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

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

Comment : The proposal seeks to amend the Sydney LEP 2012 as follows:

- amend Land Zoning Map — Sheet LZN_017 to show B4 Mixed Use for the precinct;
- amend Floor Space Ratio Map — Sheet FSR_017 to show an FSR of 1.5:1. Sites at 86-882 Bourke Street, 30-36 O’Dea Street, 11A Lachlan Street and 18-22 Amelia Street to be nominated Area 8, while the remaining sites will have Area 6 applied, indicating additional FSR under cl 6.14;
- introduce Division 2 Additional floor space outside of Central Sydney to enable an additional FSR up to 1:1 for commercial or retail use only;
- amend Height of Buildings Map — Sheet HOB_017 to show reduced levels (RL) for buildings and key infrastructure;
- amend Division 4 Design excellence, Clause 6.21(5)(a) to establish a 30 metre (RL) trigger for the precinct;
- amend Locality and Site Identification Map, Foreshore Building Line Map – sheet CL1_017 to identify the precinct as Green Square; and
- amend Heritage Map – sheet HER_017 and Schedule 5 Environmental Heritage to identify 866-882 Bourke Street as a general heritage item;

Amend the following maps to include the precinct;

- Acid Sulphate Soils Map — Sheet ASS_017 to identify the precinct as Class 5;
- Special Character Areas Map, Retail Premises Map - Sheet CL2_017 to identify to precinct as “Restricted Retail Development”;
- Land Reservation Acquisition Map — Sheet LRA_017 to identify land reservation on southern side of Lachlan Street;
- Land Use and Transport Integration Map — Sheet LUT_017 to show land identified as categories B and C; and
- Public Transport Accessibility Level Map — Sheet TAL_017 to identify the precinct as category F.

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

1.1 Business and Industrial Zones

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

6.2 Reserving Land for Public Purposes

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 10—Retention of Low-Cost Rental Accommodation

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 (Temporary Structures and Places of Public Entertainment) 2007

SEPP (Affordable Rental Housing) 2009

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

Council provided a review of consistency with the Sustainable Sydney 2030 Strategic plan.

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

If No, explain :

117 Directions 1.1 Business and Industrial Zones

The proposal is inconsistent with s117 Direction 1.1, however, Council argues that while the proposal seeks to rezone part of the precinct from a predominantly employment based zone, the proposed B4 Mixed Use zone will allow the continued operation and introduction of new employment uses compatible with existing uses. The proposed FSR controls also seek to encourage non-residential uses by permitting a higher FSR for such developments.

The proposal is consistent with all other SEPPs and section 117 Directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Maps provided by Council are adequate.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council suggests a public exhibition period of no less than 28 days.**

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 : **Sydney LEP 2012 was made in December 2012.**

Assessment Criteria

Need for planning proposal :

The proposal is the result of an urban design study undertaken in 2009/2010 to identify appropriate planning controls for inclusion in Council's comprehensive LEP. The proposed controls resulting from the study were publically exhibited in June/July 2010. The precinct was deferred from the comprehensive LEP, to allow more time to address submissions concerning development capacity and incentives, built form and public domain requirements. Further urban design testing was conducted to address economic feasibility concerns.

A planning proposal is the most effective way to provide certainty for the local community and land owners about future development within the precinct.

Lachlan Precinct, Waterloo, Green Square

Consistency with strategic planning framework :

The proposal is generally consistent with the Metropolitan Plan for Sydney 2036, the draft Metropolitan Plan for Sydney to 2031 and the draft Sydney City Subregional Strategy.

Consistency with Metropolitan Plan for Sydney 2036

- Is located close to the services, facilities and public transport links that already exist or will be provided in the planned Green Square Town Centre.
- Is within the Global Economic Corridor.
- Will contribute towards the target of 70% of new housing being located within existing urban areas.
- Will consolidate projected employment and population by redeveloping under-utilised industrial sites.
- Provide a mix of housing types, including affordable housing.

Draft Metropolitan Plan for Sydney to 2031

- Will continue to allow residential redevelopment, which can capitalise on the proximity to Green Square.
- Will facilitate the development to achieve the Gadigal Avenue link, which is part of the proposed Eastern Transit Corridor connection between Green Square and Central station.

Consistency with Sydney City Draft Subregional Strategy

- Close proximity to the Green Square Town Centre is an appropriate location for employment generation.
- Will contribute 4,000 dwellings to Council's dwelling target.
- Will provide greater certainty for mixed use residential development through suitable planning controls.

The proposal is generally consistent with a number of directions in Council's strategic plan "Sustainable Sydney 2030".

Environmental social economic impacts :

The precinct has been previously developed and has not been identified as containing critical habitat or threatened species, populations or ecological communities, or their habitats.

The proposal is looking to implement planning controls to enable the development of under-utilised or vacant sites in the precinct. It will not impact on any viable businesses currently operating in the precinct.

Assessment Process

Proposal type : Routine Community Consultation Period : 28 Days

Timeframe to make LEP : 12 months Delegation : RPA

Public Authority Consultation - 56(2) (d) : Department of Education and Communities
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 :

Lachlan Precinct, Waterloo, Green Square

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? **Yes**

If Yes, reasons : **Green Square stormwater culvert. Funding has been made available by the City of Sydney and Sydney Water. Construction to start in late 2014.**

Documents

Document File Name	DocumentType Name	Is Public
Council Letter - Lachlan Precinct.pdf	Proposal Covering Letter	Yes
Proposal - Lachlan Precinct - part 1.pdf	Proposal	Yes
Proposal - Lachlan Precinct - Part 2.pdf	Proposal	Yes
Maps - Lachlan Precinct.pdf	Map	Yes
Drafting notes - Lachlan Precinct.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
 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
 6.2 Reserving Land for Public Purposes
 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. That the A/Secretary approves the inconsistency with section 117 direction 1.1 Business and Industrial Zones on the basis that the inconsistency is minor.**
- 2. The planning proposal be publicly exhibited for a period of not less than 28 days.**
- 3. Council is to consult with:**
 - Department of Education and Communities;**
 - Office of Environment and Heritage;**
 - Transport for NSW;**
 - Roads and Maritime Services;**
 - Sydney Water; and**
 - Ausgrid.**
- 4. A public hearing is not required.**
- 5. The planning proposal is to be finalised within 12 months from the date of the gateway determination.**

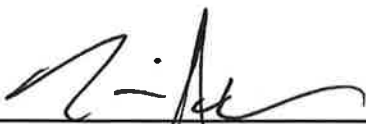
Supporting Reasons : **The proposal will allow for community consultation on proposed planning controls for the precinct. Council's comprehensive LEP was made with the precinct deferred, in order**

Lachlan Precinct, Waterloo, Green Square

to conduct further urban design testing and consideration of submissions received in 2010.

It is considered that the proposed amendments will have little or no impact to the surrounding area, will provide certainty for the community and local residents and clarify Council's intention for the Lachlan precinct.

Signature:



Printed Name:

Tim Archer

Date:

3 June 2014