

Amend height controls in Green Square Town Centre LEP 2013 for the Green Square Library and Plaza site

Proposal Title : Amend height controls in Green Square Town Centre LEP 2013 for the Green Square Library and Plaza site

Proposal Summary : The purpose of the planning proposal for the Green Square Library and Plaza site is to facilitate the development of the winning competition design, a design that differs from the built form originally envisaged when the Town Centre LEP 2013 was prepared. By incorporating a facility underground with a seven storey tower element above ground, the proposed design departs from the LEP controls for the site.

PP Number : PP_2013_SYDNE_009_00 **Dop File No :** 13-16586

Proposal Details

Date Planning Proposal Received : 20-Sep-2013 **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 : 355 Botany Road

Suburb : Zetland **City :** Sydney **Postcode :** 2017

Land Parcel : Lot Y DP 413956

Street : 377-497 Botany Road

Suburb : Zetland **City :** Sydney **Postcode :** 2017

Land Parcel : Lot 1 DP 628547

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro Sydney City subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
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. Sydney Region East has not met any lobbyist in relation to this proposal, nor has the Regional 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 : **The Regional Team supports the proposal, as it will facilitate the development of a world-class library facility and plaza development at the centre of Green Square. To achieve this, minor amendments to the height controls in the Sydney LEP (Green Square Town Centre) 2013 are required.**

The Planning Proposal states that several studies relating to site contamination, flooding/ stormwater management and transport and traffic have been prepared, or are currently under way for the broader Green Square precinct.

The proposal also identifies the need for further detailed investigations relating to light and noise pollution, flooding, acid sulfate soils and advertising and signage for the Library and Plaza site at the DA stage.

DELEGATION

Delegation is to be given to Council to exercise the Minister's plan making powers.

External Supporting Notes : **The planning proposal is consistent with several objectives of the Metropolitan Plan for Sydney 2036 and the draft Metropolitan Plan for Sydney 2031. It is also consistent with complementary directions in Sydney City Draft Subregional Strategy and Sustainable Sydney 2030.**

Adequacy Assessment

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

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

Comment : The objective of this planning proposal is to amend the height controls in the LEP to allow the tower to be constructed at the centre of the Plaza and a separate, lower data tower to be located on the southern side of the Plaza. In doing so, the building envelope boundaries need to be extended to incorporate a larger section of the Plaza.

It is intended that the planning outcome meets the objectives of ensuring a high quality civic plaza and library for the future residents of Green Square, while maximising sunlight in the Plaza area.

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

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

Comment : To achieve the proposed outcomes, the planning proposal seeks to amend the planning controls by amending the LEP Height of Buildings Map. The current map shows a maximum permissible height of RL 44.5, which is proposed to be amended to RL 46 (allowing an additional 1.5 metres for facilities associated with plant and lift overrun). The area of the Plaza site that this maximum height will apply to is to be extended across the Plaza to allow for construction of the Library building (maximum RL 46).

Clause 4.4A: Exception to Floor Space Ratio (FSR) of the LEP allows additional floor space to be available for a building that is used as office or business premises or community facilities. Where a building is used for a community facility that provides a library, neighbourhood service centre, meeting rooms, exhibition space and retail space, an additional 2.6% of the floor space dedicated to those purposes is available in Area 2 of the Town Centre (not exceeding 2,500 square metres), and an additional 4 % of the floor space is available in Area 3 of the Town Centre (not exceeding 1,500 square metres).

The current Gross Floor Area dedicated to the library design is approximately 1,300 square metres in Area 2 and 1,200 square metres in Area 3, totalling approximately 2,500 square metres in Gross Floor Area. This proposal complies with the LEP as the changes in the building height will not affect the proposals ability to meet the requirements set out in Clause 4.4A. Therefore there is no need to make amendments to the LEP in regards to Clause 4.4A.

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

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

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 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 55—Remediation of Land

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

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SEPP (Infrastructure) 2007
SEPP (Major Projects) 2005
SEPP (Temporary Structures and Places of Public Entertainment) 2007
SREP (Sydney Harbour Catchment) 2005

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 planning is considered to be consistent with all s.117 Directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **The current and proposed Height of Buildings Maps are provided and are considered adequate.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes the planning proposal will be exhibited for no less than 28 days in accordance with section 5.5.2 of A Guide to Preparing Local Environmental Plans. The Department considers the planning proposal to be of a minor nature and should be exhibited for no less than 14 days.**

Notification of the public exhibition is proposed to be on the City of Sydney website and the relevant local newspapers.

Exhibition material is proposed to be on display at several customer service centres, including CBD, Redfern and Green Square.

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 : **September 2013**

Comments in relation to Principal LEP : **Sydney Local Environmental Plan (Green Square Town Centre) 2013 was made on 13/9/2013.**

Assessment Criteria

Need for planning proposal : **The need to include a library in the Green Square Town Centre was identified in the City of Sydney Social Plan 2006-2010 and the City of Sydney Library Network Strategy 2005. The Library Network Strategy 2005 assessed the need for 5,792 square metres of additional library space by 2012, and recommended two new libraries. One of these is to be located in**

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Green Square with a proposed floor area of approximately 2,500 sqm.

The requirement to provide a multi-purpose community facility, including a library, was set out in the South Sydney Development Control Plan 1997- Part H: Green Square Town Centre. The current Town Centre DCP 2012 also outlines the role of the Town Centre in providing a focus for district and community identity.

A planning proposal amendment the LEP is considered the most effective way of providing certainty for the local community and landowners and allowing orderly and economic development of the land.

Consistency with strategic planning framework :

The planning proposal is consistent with several objectives of the Metropolitan Plan for Sydney 2036 and the draft Metropolitan Plan for Sydney 2031 relating to:

- strengthening and renewing centres;
- promoting sustainable travel behaviour;
- tackling climate change;
- achieving social inclusion and cultural creativity; and
- delivery of accessible, adaptable and connected recreation and open space.

The planning proposal is consistent with complementary directions in Sydney City draft Subregional Strategy and Sustainable Sydney 2030.

Environmental social economic impacts :

The planning proposal is unlikely to adversely impact on threatened species.

Amenity of public open space:

The current height controls in the LEP envisage an above-ground library building of up to approximately five storeys in height at the western edge of the Plaza. In contrast the winning design scheme consists of a number of 'cut-out' elements, with much of the Library building being housed under the Plaza, and the tallest element being a seven floor tower (plus a roof services floor enclosed in an eight storey column) in the centre of the Plaza. The effect of the new design is to slightly reduce the overall effect of overshadowing on the public domain and provides substantially more open space in the Plaza.

Privacy:

The eight storey tower, at it's closest point, will be approximately 13 metres from the proposed residential building to the north side of the Plaza. The proposed tower is oriented such that the viewlines from any part of the tower would be at least 18 metres from any residence. These separation distances are consistent with the Residential Flat Design Code.

Contamination:

The site is contaminated land associated with its past use as a waste facility/incinerator and a police facility that included vehicle fuelling. Detailed studies of contaminants and remediation action plans have been previously prepared for the site.

Light and noise pollution:

The Green Square Library and Plaza is being designed as a 24 hour space. There is the potential for light pollution impacts on future residential development surrounding the Plaza. This issue will need to be addressed at the development assessment stage.

It is proposed that the Plaza be used for fairs, markets, public events and informal play, all of which will generate a level of noise that may also impact on future residential development. This issue will need to be addressed at the development assessment stage.

Transport and traffic:

Access to the Library and Plaza will be achieved through a mix of transport modes, including public transport, cycling and walking, with a smaller number of arrivals by car.

Flooding:

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The site is subject to a Probable Maximum Flood Level (PMF) of RL 15.2, and the lowest entry is proposed at RL 15.35. This is 150mm above the PMF Level and is considered appropriate. A hydraulics system is being designed to further minimise the risk of flood hazard and damage to the building that could occur in the unlikely event of a Probable Maximum Flood. The section of the library below ground will be constructed using a high grade waterproof membrane, ensuring there is adequate detailing to minimise risk of inundation from ground water sources.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2) (d) :

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? **Yes**

If Yes, reasons : **Major stormwater trunk upgrades are proposed from Link Road, through the Green Square Town Centre to Alexandra Canal. These works are being driven by Sydney Water and are part-funded by the City. This constitutes a significant investment in stormwater and flood management infrastructure to manage flood risk in the Green Square catchment.**

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter.pdf	Proposal Covering Letter	Yes
Proposal.pdf	Proposal	Yes
maps.pdf	Map	Yes

Planning Team Recommendation

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

S.117 directions: **3.4 Integrating Land Use and Transport**

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Additional Information :

It is recommended that:

1. the planning proposal be supported;
2. that the planning proposal be considered as routine and exhibited for a period of 14 days;
3. no consultation with State agencies is required;
4. a public hearing is not required;
5. the timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The aim of the planning proposal is to make make minor amendments to the height controls in the Sydney LEP (Green Square Town Centre) 2013 to facilitate the development of a world-class library facility and plaza development at the centre of Green Square.

Signature:



Printed Name:

Tim Archer Date: 22/10/13