

Various sites in Waterloo Park Precinct, Green Square

Proposal Title : **Various sites in Waterloo Park Precinct, Green Square**

Proposal Summary : **The proposal seeks to rezone 34 lots from R1 General Residential to B4 Mixed Use and increase the maximum building height from 15m to 22m for 14 lots within the Waterloo Park precinct, generally bounded by McEvoy, George, Bourke and Young Streets, Waterloo.**

PP Number : **PP_2013_SYDNE_010_00** Dop File No : **13/20091**

Proposal Details

Date Planning Proposal Received :	03-Dec-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 :	10-18 Allen St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot 1 DP78101		Postcode : 2017
Street :	20-26 Allen St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot A DP155422, Lot 1 DP77716		Postcode : 2017
Street :	10-20 McEvoy St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot 1 DP748007, Lots 1-3 SP35066		Postcode : 2017
Street :	34-38 McEvoy St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot A DP397569		Postcode : 2017
Street :	40-46 McEvoy St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot 20 DP707769		Postcode : 2017
Street :	266 Pitt St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot 1 DP1049162, Lots 1-198 SP71897		Postcode : 2017
Street :	707-711 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
Land Parcel :	Lot A DP337044		Postcode : 2017

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Street :	713-721 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot B DP338527, Lot 2 DP814956		
Street :	723-725 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP89479		
Street :	810-822 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP79752		
Street :	824-828 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 100 DP1174270		
Street :	830-838 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 2 DP1014267		
Street :	840 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 20 DP84277		
Street :	842 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 19 DP1061730		
Street :	844 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP199931		
Street :	846 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot A DP89307		
Street :	848 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot B DP89307		
Street :	850 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot C DP89307		
Street :	852 Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot D DP89307		
Street :	852A Elizabeth St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP1132513		

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Street :	854 Elizabeth St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP194859			
Street :	856 Elizabeth St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP194860			
Street :	858 Elizabeth St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP195682			
Street :	860 Elizabeth St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP997102			
Street :	2-4 Powell St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 11 DP1047036, Lots 1-143 SP69259			
Street :	242 Young St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP84655			
Street :	244-258 Young St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lots A & B DP161650			
Street :	1A Allen St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP381527			
Street :	7-11 Allen St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 3 DP201225			
Street :	50 McEvoy St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 12 DP806016, Lots 1-4 SP46910			
Street :	Ground lvl 52-54 McEvoy St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP1052790, Lots 1-8 SP70321			
Street :	52-54 McEvoy St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 2 DP1052790, Lots 1-73 SP70319			
Street :	1-5 Hunter St			
Suburb :	Waterloo	City :	Sydney	Postcode : 2017
Land Parcel :	Lot 1 DP1042589, Lots 1-82 SP69746			

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Street :	7-11 Hunter St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 2 DP1042589, Lots 1-95 SP71241		
Street :	183 Botany Rd		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP669212		
Street :	191-195 Botany Rd		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 70 DP786275		
Street :	201-211 Botany Rd		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 71 DP786275		
Street :	3-5 Allen St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 2 DP1086862		
Street :	8 Allen St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 312 DP1155195, Lots 1-32 SP84149		
Street :	356-368 George St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 4 DP554372		
Street :	10 James St		
Suburb :	Waterloo	City :	Sydney
		Postcode :	2017
Land Parcel :	Lot 1 DP1086862		

DoP Planning Officer Contact Details

Contact Name : Wayne Williamson
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RPA Contact Details

Contact Name : Samantha Bird
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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 :	
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	41	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 Gode 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 :	Sydney LEP 2012 was published on 14 December 2012. During the LEP process it was recognised that a number of changes to the LEP were required. Rather than risk the possibility of re-exhibition of the draft LEP it was agreed that Council would prepare planning proposals to affect these amendments.
External Supporting Notes :	In response to the public exhibition of draft Sydney LEP 2011, submissions raised concerns about the R1 zoning and requested a B4 Mixed Uses zoning for several sites in the precinct. Following gazettal of Sydney LEP 2012 in December 2012, a review of development applications in the precinct revealed that several mixed use residential and commercial developments have been approved and constructed within the last five years. The area has also seen existing light industrial and warehouse buildings being improved for showrooms, offices and retail outlets. Given the proximity of the precinct to the Green Square Town Centre, continued operation and future expansion of suitable non-residential uses is appropriate to contribute to the mixed use vision for Green Square. A B4 Mixed Use zoning will also allow for future residential development capitalising on proximity to Waterloo Park. A review of built form controls was also undertaken to ensure that they would be appropriate under a different zone. This was to ensure that the height of buildings can accommodate the higher floor to ceiling heights required for non-residential uses. Under Sydney LEP 2012, the current FSR control is 1.5:1 with a potential 0.5:1 for the provision of community infrastructure, such as new streets or setbacks and a further 10% available for design excellence. No changes to current FSR controls are being pursued.

Adequacy Assessment

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

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

Comment : The proposal will allow redevelopment of identified sites within the Waterloo Park precinct in a manner compatible with emerging built form immediately south of the precinct in the planned Green Square Town Centre.

The proposal seeks to:

1. rezone 34 properties from R1 General Residential to B4 Mixed Uses to ensure that existing appropriate non-residential uses can continue to operate and expand without undue restriction; and

2. address a mismatch between height and floor space ratio controls for 14 properties through an increase in height control.

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

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

Comment : The proposal seeks to amend Council's land zoning map sheet LZN_017 and height of buildings map sheet HOB_017.

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

6.2 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 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 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

SREP (Sydney Harbour Catchment) 2005

SEPP (Affordable Rental Housing) 2009

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

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

If No, explain :

Council identified a justifiable inconsistency with s.117 Direction 3.1 Residential Zones due to rezonings from R1 General Residential to B4 Mixed Use. Although the proposal will result in a loss of residential zoned land, only 12 of the 32 proposed rezonings are currently solely residential use, including 11 terrace houses. A change to zone B4 will not inhibit future use of sites for part residential use in mixed use developments.

This inconsistency is considered minor because the affected residential properties are occupied by terrace housing that is unlikely to be replaced with a business use in the short to medium term. It also recognises over 40% of the properties in the precinct are operating in non-residential uses.

It is recommended that the Director General approve the inconsistency with s117 Direction 3.1 on the basis that the inconsistency is minor.

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 14 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 :

Comments in
relation to Principal
LEP :

Council's comprehensive Sydney LEP 2012 was notified on 14/12/2013.

Assessment Criteria

Need for planning
proposal :

A planning proposal is the most effective way to ensure planning controls reflect the objectives for a vibrant mixed use precinct close to the planned Green Square Town Centre. The proposal provides certainty for both the community and developers by allowing orderly economic development.

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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

- The precinct is located close to the services, facilities and public transport links that will be provided in the planned Green Square Town Centre.
- Will contribute towards the target of 70% of new housing being located within existing urban areas.
- Allow for additional businesses to enter the area, utilising existing industrial building stock.
- Allow for non-residential uses to be incorporated along busy road frontages in the precinct.

Draft Metropolitan Plan for Sydney to 2031

- The precinct will continue to allow residential redevelopment, which can capitalise on the proximity of Waterloo Park.
- Public open space within the precinct will act as a focal point for the new community, encouraging community connections and inclusiveness among existing and new residents.
- Allow creative industries, including information technology and fashion activities currently operating in the Waterloo Park Precinct to continue playing a supporting role in Sydney's global economy.
- Enable a greater variety of uses in the area and provide certainty over development outcomes for both workers and residents.

Consistency with Sydney City Draft Subregional Strategy

- Close proximity to the Green Square Town Centre is an appropriate location for employment generation.
- The precinct will provide greater certainty for mixed use residential development on certain lots through increased height controls, which better match the current floor space control.

The proposal is generally consistent with Council's strategic plan "Sustainable Sydney 2030".

Environmental social economic impacts :

The Planning Proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

The proposed rezoning from R1 General Residential to B4 Mixed Uses will recognise over 40% of the properties in the precinct operating in non-residential uses. Many of these are well-established, viable businesses, which currently rely on existing use rights. The current R1 zoning unduly restricts their operations and any future expansion, which, subject to a merit based assessment, would be appropriate within this well-connected area in close proximity to the Green Square Town Centre.

Assessment Process

Proposal type :	Precinct	Community Consultation Period :	14 Days
Timeframe to make LEP :	12 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :			

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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 :

Documents

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

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**
- 6.2 Reserving Land for Public Purposes**
- 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 Director General approve the inconsistency with s117 direction 3.1 Residential Zones on the basis that the inconsistency is minor.**
- 2. The planning proposal be publicly exhibited for a period of not less than 14 days.**
- 3. The planning proposal is to be finalised within 12 months from the date of the gateway determination.**
- 4. Council amends the project timeline of the planning proposal in accordance with the anticipated commencement date occurring in January 2014.**
- 5. Council is to consult with:**
 - Transport for NSW;**
 - Roads and Maritime Services; and**
 - Office of Environment and Heritage.**

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Supporting Reasons :

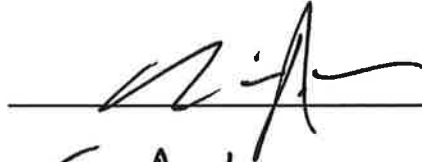
This can be undertaken during public exhibition.

The planning proposal will allow for community consultation on proposed amendments to the planning controls for the subject sites. The Sydney LEP was made with controls as exhibited in order to avoid the need for re-exhibition thereby expediting the progress of the then draft LEP.

It is considered that the proposed amendments will have little or no impact to surrounding area and serve to clarify Council's intention for the Waterloo Park precinct.

Furthermore, the proposed changes to controls for the affected sites respond to submissions made to Sydney LEP 2012.

Signature:



Printed Name:

Tim Archer

Date:

19/12/13