



WESTERN GATEWAY SUB-PRECINCT

## Explanation of Intended Effect

---

October 2019



Published by NSW Department of Planning, Industry and Environment

[dpie.nsw.gov.au](http://dpie.nsw.gov.au)

Title: Explanation of Intended Effect

Subtitle: October 2019

---

© State of New South Wales through Department of Planning, Industry and Environment 2019. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute the Department of Planning, Industry and Environment as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (October 2019) and may not be accurate, current or complete. The State of New South Wales (including the NSW Department of Planning, Industry and Environment), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

# Contents

<b>Introduction .....</b>	<b>1</b>
Sydney Innovation and Technology Precinct .....	1
Planning for Central Station .....	1
The Western Gateway Sub-Precinct .....	3
Purpose .....	3
<b>Proposed Amendment Summary .....</b>	<b>4</b>
Overview .....	4
Objectives and Intended Outcomes .....	4
<b>Proposed Amendments to Sydney LEP 2012 .....</b>	<b>5</b>
Land Zoning Map .....	5
Site Specific Clause – Western Gateway sub-precinct .....	5
Special Character Area Map .....	6
Locality and Site Identification Map .....	6
Design Guidelines .....	6
Unchanged Provisions .....	7
Maximum Building Height .....	7
Maximum Floor Space Ratio .....	7
Heritage Provisions .....	7
Parking rates .....	7
<b>Appendix A .....</b>	<b>8</b>
<b>Current Maps .....</b>	<b>8</b>
Land Zoning .....	8
Floor Space Ratio .....	9
Height of Buildings .....	9
Special Character Area .....	10
Heritage .....	10
<b>Appendix B .....</b>	<b>12</b>
<b>Proposed Maps .....</b>	<b>12</b>
Land Zoning .....	12
Locality and Site Identification .....	13
Special Character Area .....	14

# Introduction

## Sydney Innovation and Technology Precinct

In 2016, the NSW Government released the Central to Eveleigh Urban Transformation Strategy (C2E Strategy) which identified opportunities for planned renewal across the 50 hectare 'Central to Eveleigh' transport corridor in Metropolitan Sydney. In conjunction with major transport infrastructure upgrade projects such as Sydney Metro and the Sydney City Light Rail, the C2E Strategy noted opportunities to transform Central Station into a world class transit hub, and revitalise its surrounds to improve amenity and connectivity within and across the corridor.

In August 2018, the NSW Government established the Sydney Innovation and Technology Precinct Panel (the Panel) comprising representatives from various industry, health, education, government agencies and key community members. The Panel was commissioned with the task of investigating opportunities for a new innovation and technology precinct in Sydney. The Sydney Innovation and Technology Precinct Panel Report identifies Central to Eveleigh as the ideal location for a new innovation and technology Precinct. In collaboration with Sydney's tech industry, health, education, and government stakeholders, the Panel prepared a vision for the future precinct to be:

*"A place where world-class universities, ambitious start-ups, high-tech giants and the community collaborate to solve problems, socialise and spark ideas that change our world. The Precinct will be underpinned by high quality physical and digital infrastructure."*

In February 2019, the NSW Government endorsed the findings and recommendations of the Panel, which among other social and economic benefits aims to deliver an additional 10,000 – 25,000 jobs in Central Sydney by 2036.

## Planning for Central Station

Located within the heart of Sydney City, Central Station is NSW's largest and busiest transport hub servicing nearly 270,000 passengers daily. The station and its immediate surrounds are also highly accessible and well connected. The grandeur of the Main Station Building, the concourse and the Clocktower, along with the historical and social significance of the broader place, makes Central Station and its surrounds a highly unique and remarkable location within Sydney.

In July 2019, the Minister for Planning and Public Spaces announced the investigation of Central Precinct as a State Significant Precinct (SSP). State Significant Precincts are areas which are deemed to have planning significance to the State of NSW because of their social, economic or environmental characteristics. The SSP process allows for planning investigations for the future redevelopment of the station and surrounding area to commence. Transport for NSW (TfNSW) is the applicant for the SSP and is responsible for leading the planning investigations.

The nominated Central SSP area is 24 hectares, bounded by Pitt Street and Regent Street to the west, Cleveland Street to the south, Eddy Avenue, Hay Street and Goulburn Street to the north, and Elizabeth Street and Chalmers Street to the east **Figure 1**.

As part of the first stage of planning for Central SSP, TfNSW has prepared a draft Strategic Vision, based around sub-precincts, to set the vision for the site, identify priorities and key planning considerations, and establish a commitment to design excellence to guide planning for the Central Precinct.

TfNSW has also prepared a proposal for the first sub-precinct for renewal within the Central SSP, known as the Western Gateway. The proposed amendments to the planning controls for the Western Gateway sub-precinct have been developed to align with the Draft Strategic Vision to deliver an innovation and technology precinct.





**Figure 1 Central SSP (outlined in red) - Western Gateway Sub-precinct (shaded orange)**

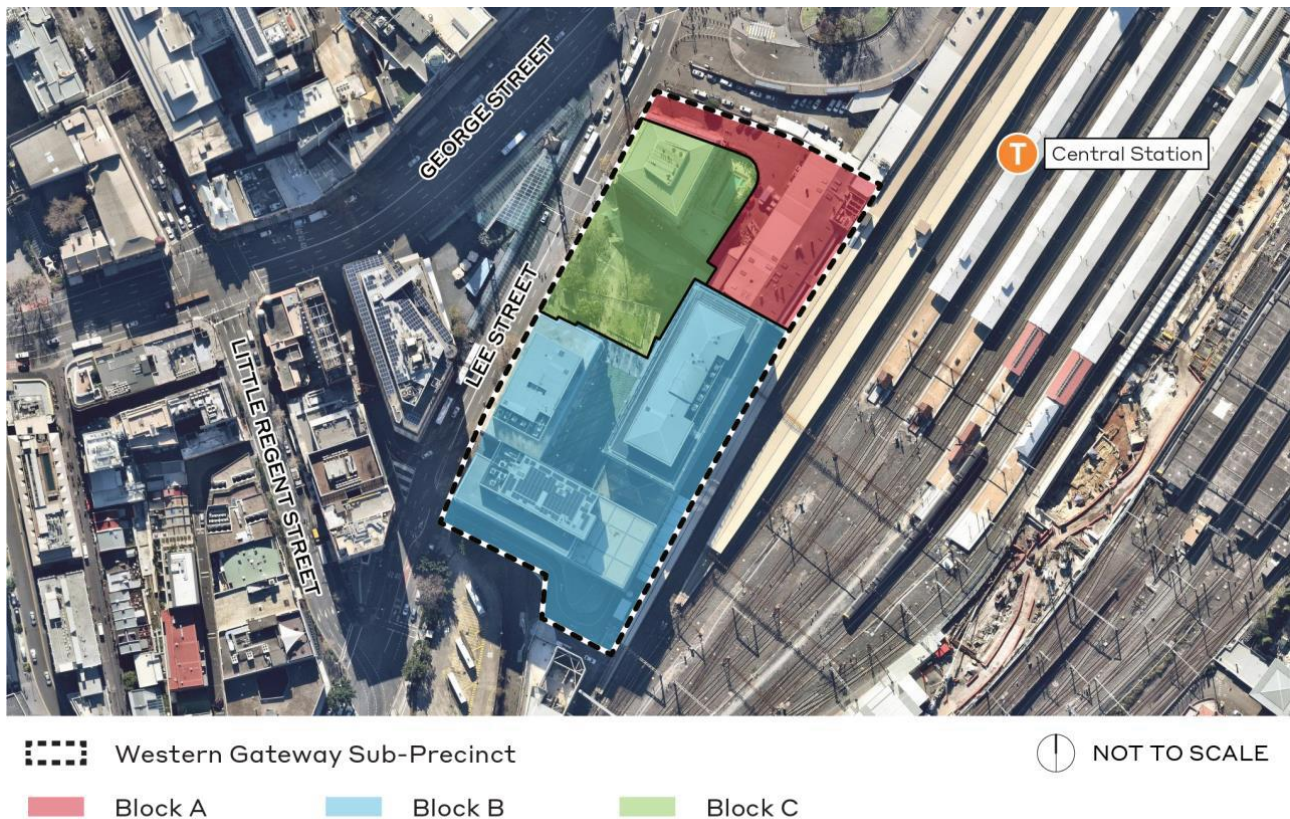


## The Western Gateway Sub-Precinct

The Western Gateway sub-precinct is located on the western edge of Central Station, bounded by Lee Street and Railway Square to its west, Devonshire Street Tunnel and Central Station to its east, Ambulance Avenue to its north and the Lee Street Bus Layover to its south. **Figure 2** identifies the Western Gateway sub-precinct within the Central SSP area.

An aerial photograph of the site is provided at Figure 2. The sub-precinct is defined by the following sites:

- The Railway Square YHA site (referred to as Block A)
- The Henry Deane office block (referred to as Block B)
- The Adina Apartment Hotel building and the Henry Deane Plaza (referred to as Block C)



**Figure 2 Aerial photograph of the Western Gateway sub precinct**

## Purpose

This Explanation of Intended Effect (EIE) has been prepared to set out the proposed planning controls for the Western Gateway sub-precinct.

The Department will consider the proposed amendments to the current planning controls for the Western Gateway Sub-precinct alongside the Central SSP Draft Strategic Vision to ensure that the proposed changes to planning controls are consistent with the overarching vision, themes and principles outlined for the broader Central SSP and the Western Gateway sub-precinct.

# Proposed Amendment Summary

## Overview

A State Environment Planning Policy (SEPP) is proposed to amend *Sydney Local Environmental Plan 2012* (Sydney LEP 2012).

The proposed SEPP amendment will apply to the area known as the Western Gateway sub-precinct, as mapped in Figure 2, bounded by Lee Street and Railway Square to its west, Devonshire Street Tunnel and Central Station to its east, Ambulance Avenue to its north and the Lee Street Bus Layover to its south.

The Western Gateway sub-precinct rezoning proposal report (on exhibition along with the EIE) has been prepared by TfNSW to support the proposed amendments to the planning controls to:

- Amend the Sydney LEP 2012 by introducing a site-specific provision for the sub-precinct that:
  - seeks to incentivise development for non-residential uses through the provision of greater building height and gross floor area controls.
  - requires a competitive Design Excellence process that has been approved by the NSW Government Architect, in addition to Council's existing policy; include reference to Design Guidelines to inform future development of the sub-precinct and enable the arrangements for the provision of State infrastructure.
- Amend the Sydney LEP 2012 maps to:
  - apply the B8 Metropolitan Centre zone to the entire Western Gateway sub-precinct;
  - remove the Western Gateway sub-precinct area from the Special Character Areas Map; and
  - identify the Western Gateway sub-precinct on the Locality and Site Identification Map Foreshore Building Line Map – including the labelling of Blocks A, B & C within the sub-precinct.

## Objectives and Intended Outcomes

The primary objective of the proposed amendment is to amend the existing planning controls that apply to the Western Gateway sub-precinct to include a new suite of controls to guide the future development of an innovation and technology precinct as the first stage of the renewal program for the broader Central SSP area.

The intended outcome of the proposed SEPP is to amend Sydney LEP 2012 to facilitate the future development of the Western Gateway as an exciting new destination at the southern end of Sydney City that celebrates the area's historical significance and delivers a new globally recognised innovation and technology precinct.

Infrastructure to support the proposal will be determined through the planning process for the wider Central SSP, including consideration of the contributions framework and mechanisms to delivery infrastructure for the sub-precinct. The Department will continue to work with Council, agencies and infrastructure providers to enable the framework to be finalised.

Key outcomes of the proposed amendment are delivering on the Premier's commitment to establishing a globally competitive Sydney Innovation and Technology Precinct and the contribution to strategic State, metropolitan and local policies to provide to 225,000sqm of employment floor space and 14,600 additional jobs.

# Proposed Amendments to Sydney LEP 2012

The existing controls under the Sydney LEP 2012 that apply to the Western Gateway sub-precinct are detailed in **Appendix A**, including excerpts from the Sydney LEP 2012 maps.

## Land Zoning Map

Currently the Western Gateway sub-precinct is zoned B8 Metropolitan Centre and SP2 Infrastructure. It is proposed to amend the Land Zoning Map (Map sheet LZN\_016) so that the entire Western Gateway sub-precinct is zoned B8 Metropolitan Centre. This will only change the north eastern corner of the boundary, an area of approximately 281sqm, currently zoned SP2 Infrastructure.

The amendment is proposed to ensure that the land uses identified for the future development of the Western Gateway precinct, specifically commercial premises and tourist and visitor accommodation, are permissible for the entirety of the site.

## Site Specific Provision – Western Gateway sub-precinct

A new site-specific provision for the Western Gateway sub-precinct is proposed to be inserted into the Sydney LEP 2012 to set out controls that apply only to this sub-precinct. The Western Gateway sub-precinct will be identified on the Locality and Site Identification Map, Foreshore Building Line Map. It is proposed to include the following in the site-specific provision:

- Alternate building height and gross floor area controls (despite Clauses 4.3 and 4.4 of the Sydney LEP 2012), based on site boundaries, where development is for the purposes of non-residential land use only. These provisions are proposed to ensure the objectives for an innovation and technology based sub-precinct are achieved, in accordance with the Draft Strategic Vision prepared for Central SSP.
- The maximum building heights proposed to be included for the Western Gateway sub-precinct are:
  - Block A – RL 200.2m, increased from 7.5m
  - Block B – RL 205.8m, increased from 35m
  - Block C – no change.

There is opportunity for the planning controls for maximum building height to be expressed through an amendment to the height of buildings map or as a maximum height in the text of the Sydney LEP 2012.

- The maximum floor space provisions proposed to be included for the Western Gateway sub-precinct are:
  - Block A – 70,000sqm
  - Block B – 155,000sqm
  - Block C – no change. The current maximum FSR permitted on the site is 3:1.
- A provision requiring future development for new buildings to demonstrate Design Excellence (no design excellence bonuses will apply). Future development will need to:
  - undertake a competitive design process in accordance with the City of Sydney's Competitive Design Policy; or
  - undertake a design excellence process that has been agreed with the NSW Government Architect.
  - include reference to Design Guidelines to inform future development of the sub-precinct and enable the arrangements for the provision of State infrastructure.



- Include more stringent overshadowing controls to apply to future development within the sub-precinct. This will ensure nearby parks, in particular Prince Alfred Park, will continue to be protected from overshadowing at specified times (in this case, from 10pm – 2pm).
- A provision disapplying the requirement for a Development Control Plan in Clause 7.20 of the Sydney LEP 2012.

## Special Character Area Map

Sydney LEP 2012 identifies a number of special character areas that significantly contribute to the quality of the public domain and character of Sydney. Development within identified special character areas are subject to specific provisions in the Sydney DCP.

The northern section of the Western Gateway sub-precinct is included in the 'Railway Square/ Central Station Special Character Area' on the Special Character Areas Map\_Retail Premises Map (Map Sheet CL2\_016). It is proposed to remove the 'Western Gateway sub-precinct' entirely from the Special Character Areas Map.

This amendment is proposed as the current 'Special Character Area' will be superseded by the broader renewal and revitalisation proposed by the Western Gateway sub-precinct.

## Locality and Site Identification Map

Sydney LEP 2012 identifies specific localities and sites such as 'Central Sydney' or 'Green Square' which are subject to site-specific planning controls.

The Western Gateway sub-precinct is located within the 'Central Sydney' locality on the Locality and Site Identification Map, Foreshore Building Line Map (Map Sheet CL1\_016).

It is proposed for the Western Gateway sub-precinct to remain within the 'Central Sydney' locality and include the following as an overlay on this map:

- map the 'Western Gateway sub-precinct' area
- label blocks A, B & C within the Western Gateway Sub-precinct.

The proposed map amendments allow for the identification of the sub-precinct and the three distinct blocks within the sub-precinct for reference in the Sydney LEP 2012. In particular, the mapping of blocks A, B & C allows for application of site-specific built form controls.

## Design Guidelines

The proposal includes draft design guidelines that have been prepared to inform and guide future development within the Western Gateway sub-precinct.

The guidelines, on exhibition along with the EIE, set out a suite of built form and urban design provisions to ensure that new development in the sub-precinct achieves high quality outcomes for built form, public domain and heritage and seeks to improve the amenity of the sub-precinct and its surrounds.

It is proposed to reference the Design Guidelines in the Sydney LEP 2012 so that any future development in the sub-precinct will need to demonstrate consistency with the guidelines which, as drafted, address matters such as:

- Public domain and connectivity
- Building separation and setback requirements
- Site layout, built form and design
- Building use
- Active frontages

- Heritage
- Views and vistas
- Vehicular access and parking
- Solar access, wind and stormwater management
- Sustainability
- Public Art.

## Unchanged Provisions

Noting that the majority of the provisions within the Sydney LEP 2012 will continue to apply, below is an overview of critical controls which will not be amended.

### Maximum Building Height

The proposed planning amendments would seek to amend the height controls through the site-specific clause instead of amending the maximum building heights detailed in the associated maps under Clause 4.3 of the Sydney LEP 2012. The proposed site-specific provision provides for additional floor space and height subject to certain conditions, such as the redevelopment of the sites as only non-residential floorspace, etc.

### Maximum Floor Space Ratio

The proposed planning amendments would not amend the maximum Floor Space Ratio limits provided by Clause 4.4 Sydney LEP 2012. However, the site-specific provisions propose to allow the following maximum Gross Floor Areas for non-residential land uses as follows:

- Block A – 70,000sqm
- Block B – 155,000sqm
- Block C – no change

Note that the site-specific provision would prevail over the maximum floor space controls.

### Heritage Provisions

The heritage provisions of the Sydney LEP 2012, including the listed items within the sub-precinct, will continue to apply to the Western Gateway sub-precinct and any future development on the site will need to consider the archaeological and heritage character and significance of the area.

### Parking rates

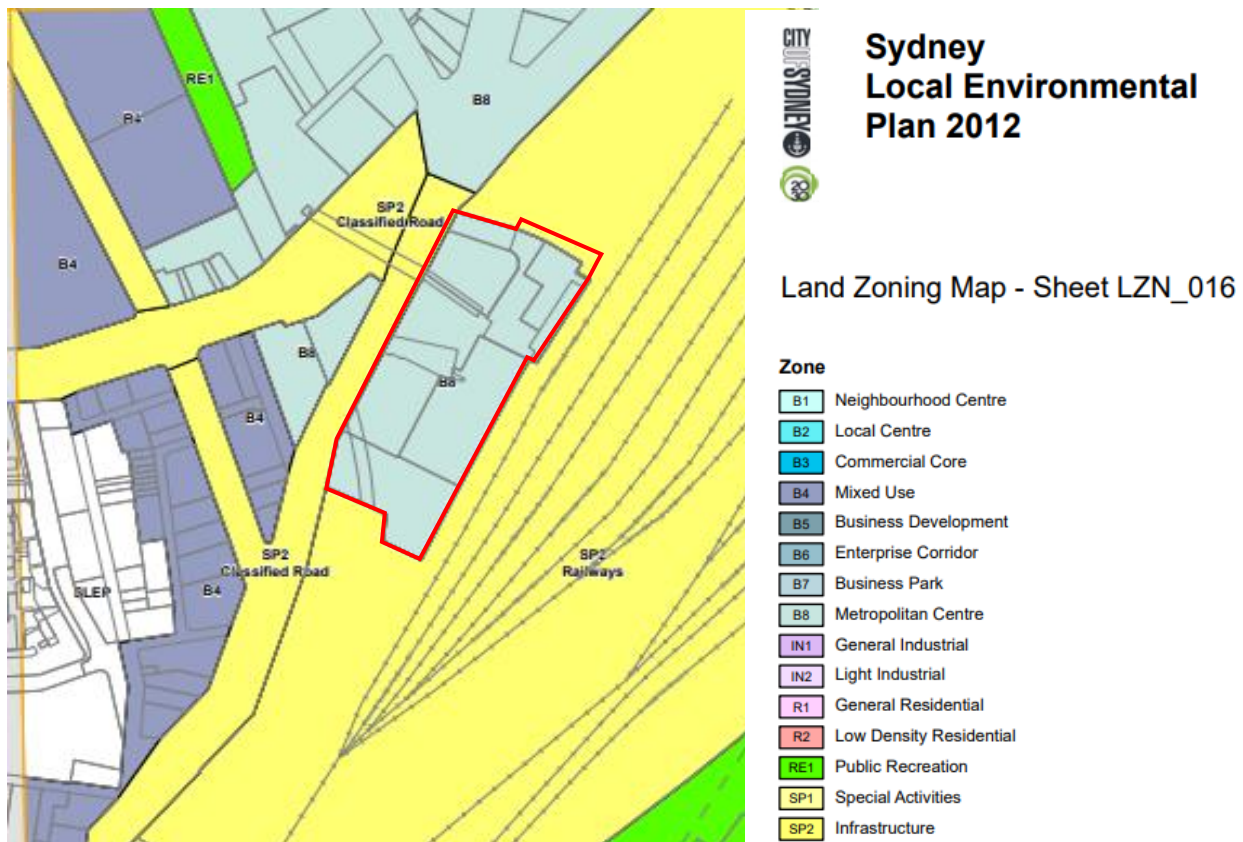
The current parking rates within the Sydney LEP 2012 will continue to apply.

# Appendix A

## Current Maps

### Land Zoning

The Western Gateway sub-precinct is zoned predominantly B8 Metropolitan Centre (approximately 16,895sqm) with a small north-eastern section of the site zoned SP2 Infrastructure – Railways zone (approximately 281sqm) under the Sydney LEP 2012 (**Figure 1**). The site-specific controls would prevail.

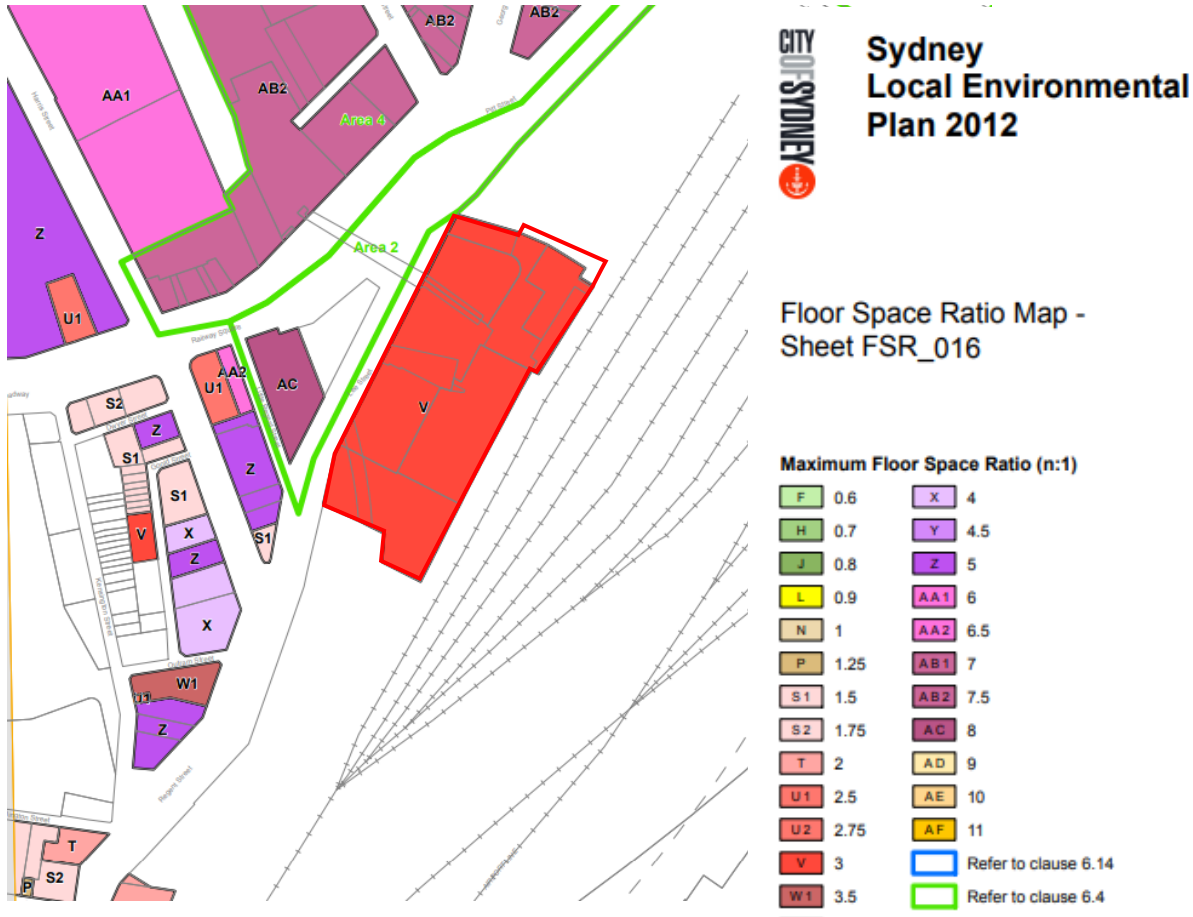


**Figure 1 Current Sydney LEP 2012 Land Zones Map**



## Floor Space Ratio

Under the Sydney LEP 2012 the Western Gateway sub-precinct has a maximum floor space ratio of 3:1 (shown in **Figure 2**). No maximum FSR control applies to north-eastern section of the sub-precinct that sits within the land zoned SP2 Infrastructure.



**Figure 2 Current Sydney LEP 2012 Floor Space Ratio Map**

## Height of Buildings

Under the Sydney LEP 2012 the Western Gateway sub-precinct has the following maximum height of building controls (shown in **Figure 3**):

- 7.5m maximum building height for Block A;
- 33m to 35m maximum building height for Block B; and
- North-eastern section of Block A is identified as Area 1 on the 'Height of Buildings' map. Under Clause 4.3(2A), in Area 1 the maximum building height is identified as being the height of the existing building on that part of the site.

Note that the site-specific provision would prevail over the maximum building height control.

In addition to the maximum building height standard for Block A and B, overshadowing of Prince Alfred Park between 12pm and 2 pm is prohibited under Clause 6.19 (h) of the SLEP 2012. This provision of the SLEP 2012 aims to protect the amenity of key open space assets within the city.

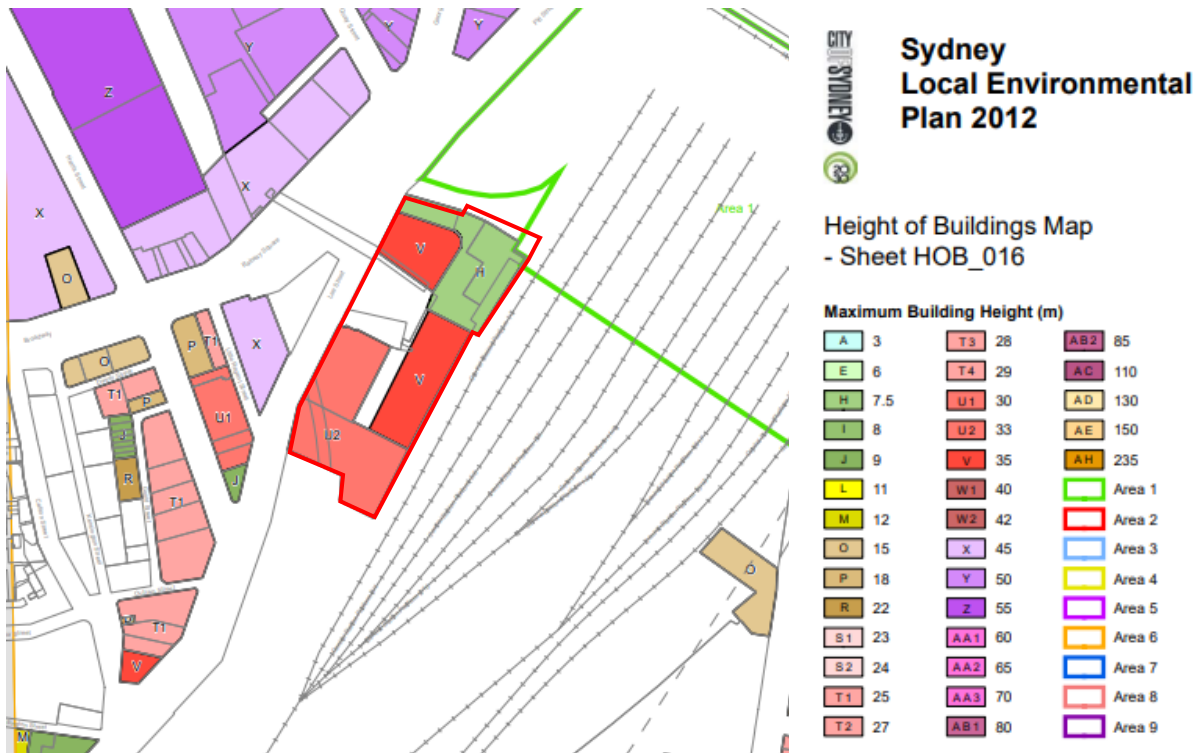


Figure 3 Current Sydney LEP 2012 Height of Buildings Map

## Special Character Area

The northern section of the sub-precinct is located within the Railway Square / Central Station Special Character Area, shown in **Figure 4**.

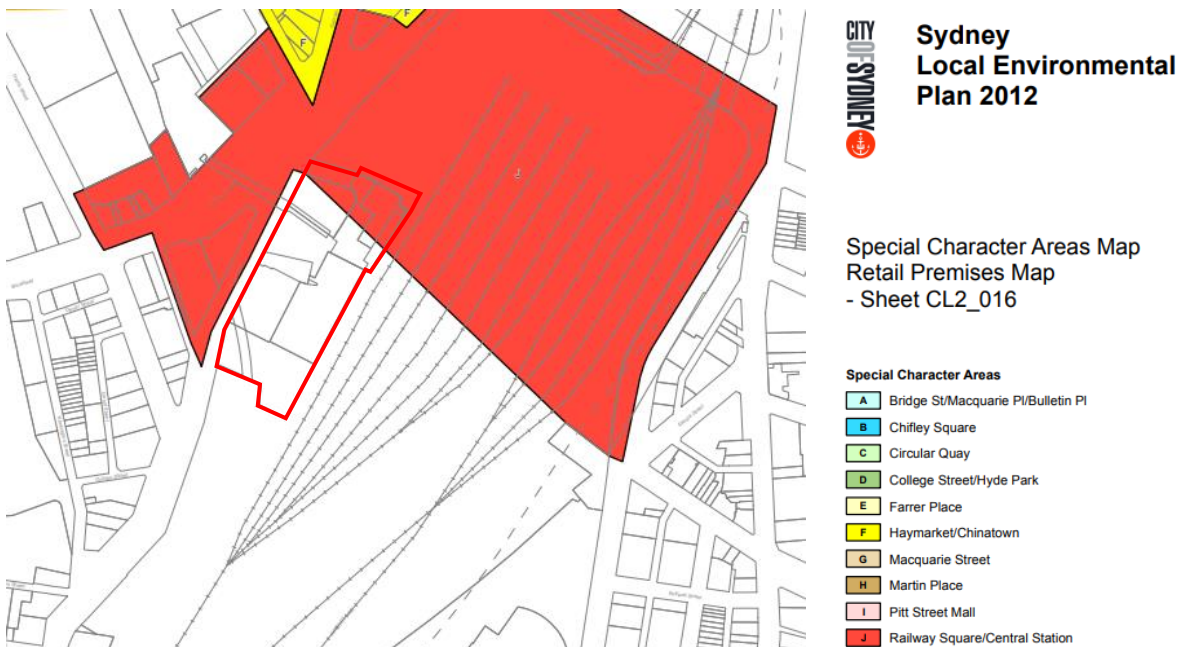


Figure 4 Current Sydney LEP 2012 Special Areas Character Map

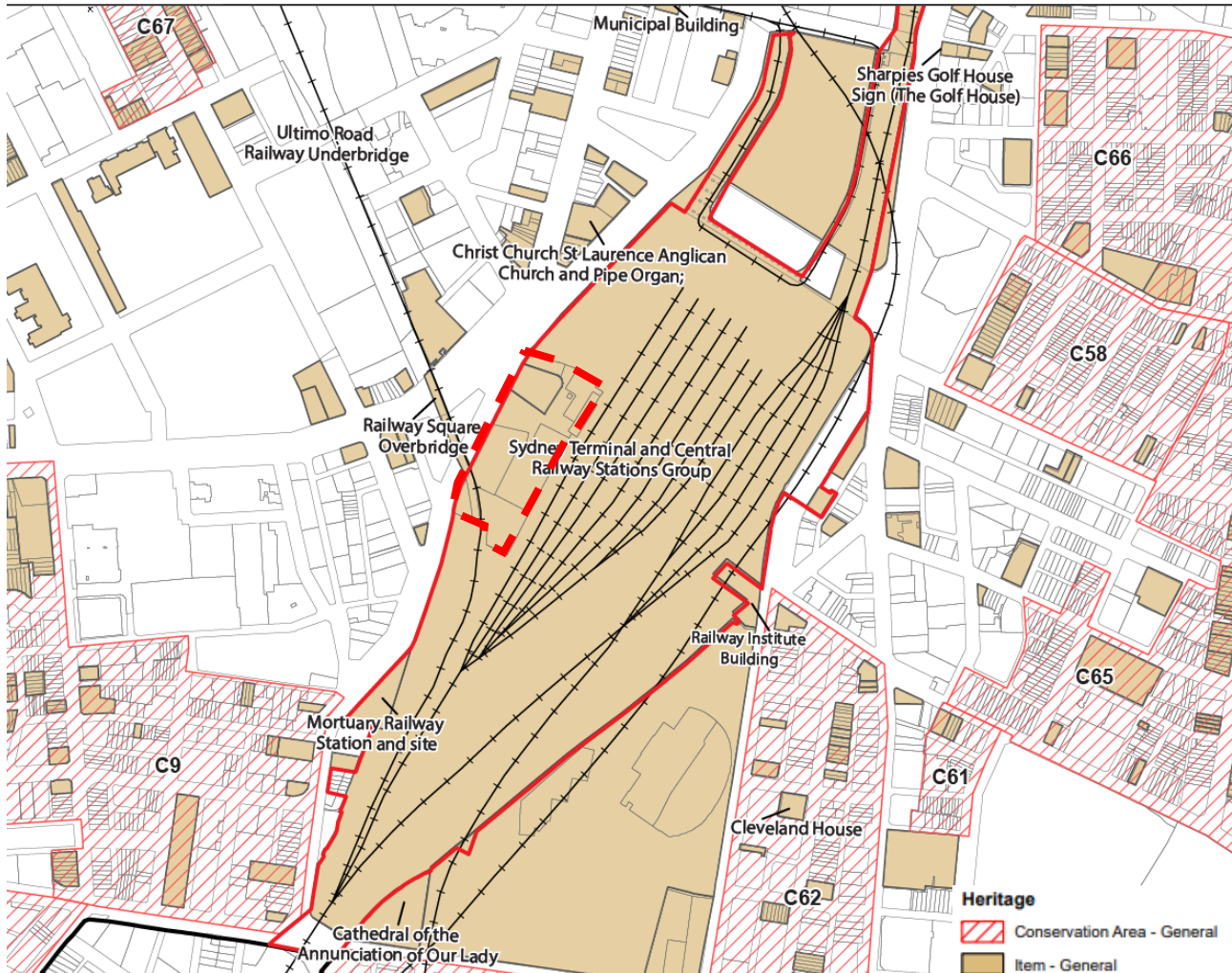
## Heritage

The Western Gateway sub-precinct forms a part of the Central Railway Station Group heritage listing, which is identified as a State significant heritage item under the Sydney LEP 2012 (see

**Figure 5).** Block A contains the Inwards Parcels Shed (the Railway Square YHA Shed), the Parcels Area (located below the YHA Shed, adjacent to Ambulance Avenue) and the western forecourt wall, while Block C includes the former Parcels Post Office (Adina Apartment Hotel).

While the Henry Deane Office block (Block B) forms a part of the site's broader heritage listing, much of the original heritage fabric in Block B was demolished in the early 2000s to make way for the existing Henry Deane Plaza and Henry Deane office block. These buildings are therefore not considered to have any heritage significance.

Note that the existing heritage provisions in the Sydney LEP 2012 would continue to apply.



**Figure 5 Current Sydney LEP 2012 Heritage Map**



# Appendix B

## Proposed Maps

### Land Zoning

The Western Gateway sub-precinct is proposed to be zoned B8 Metropolitan Centre (shown in Figure 1 below).

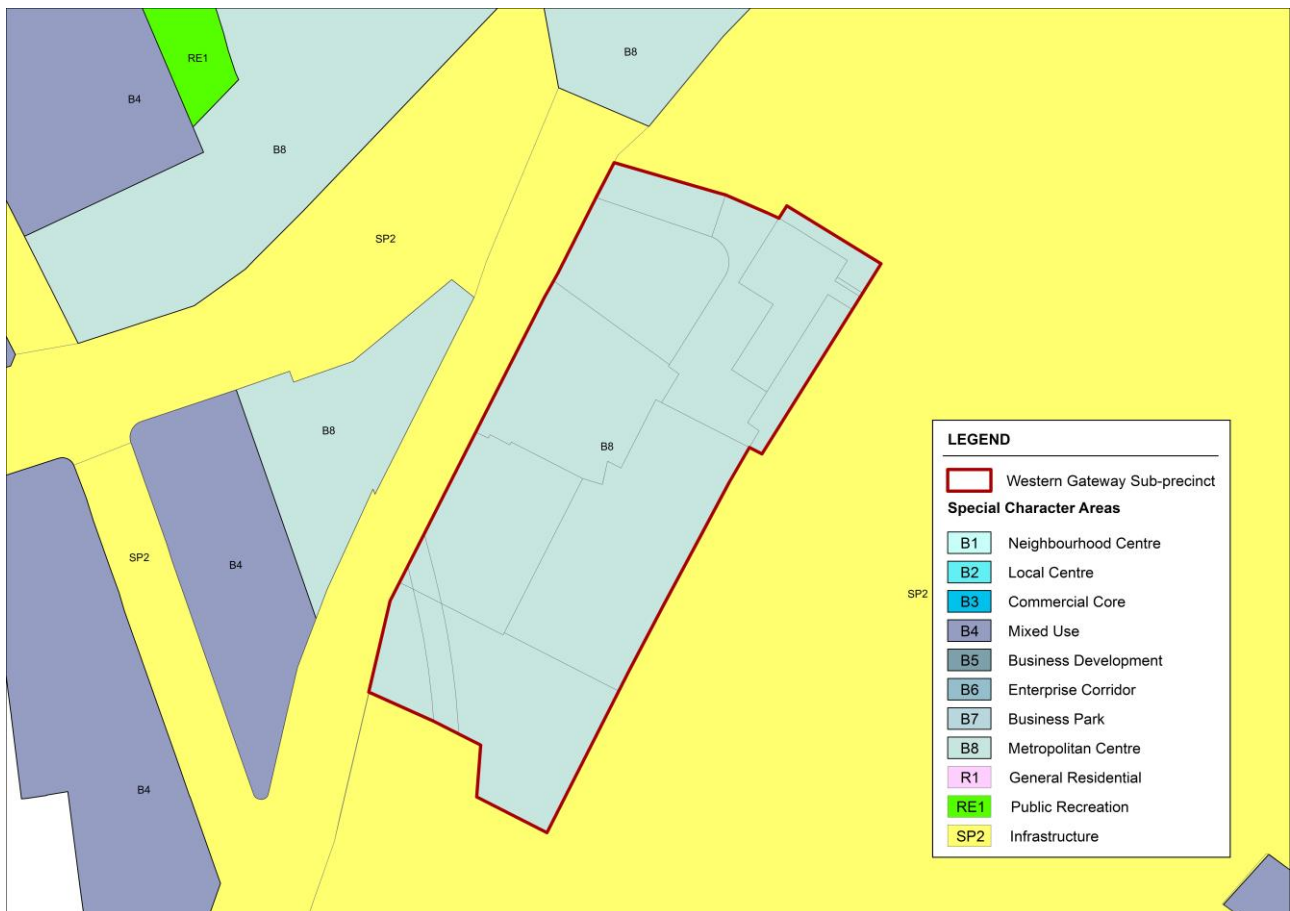
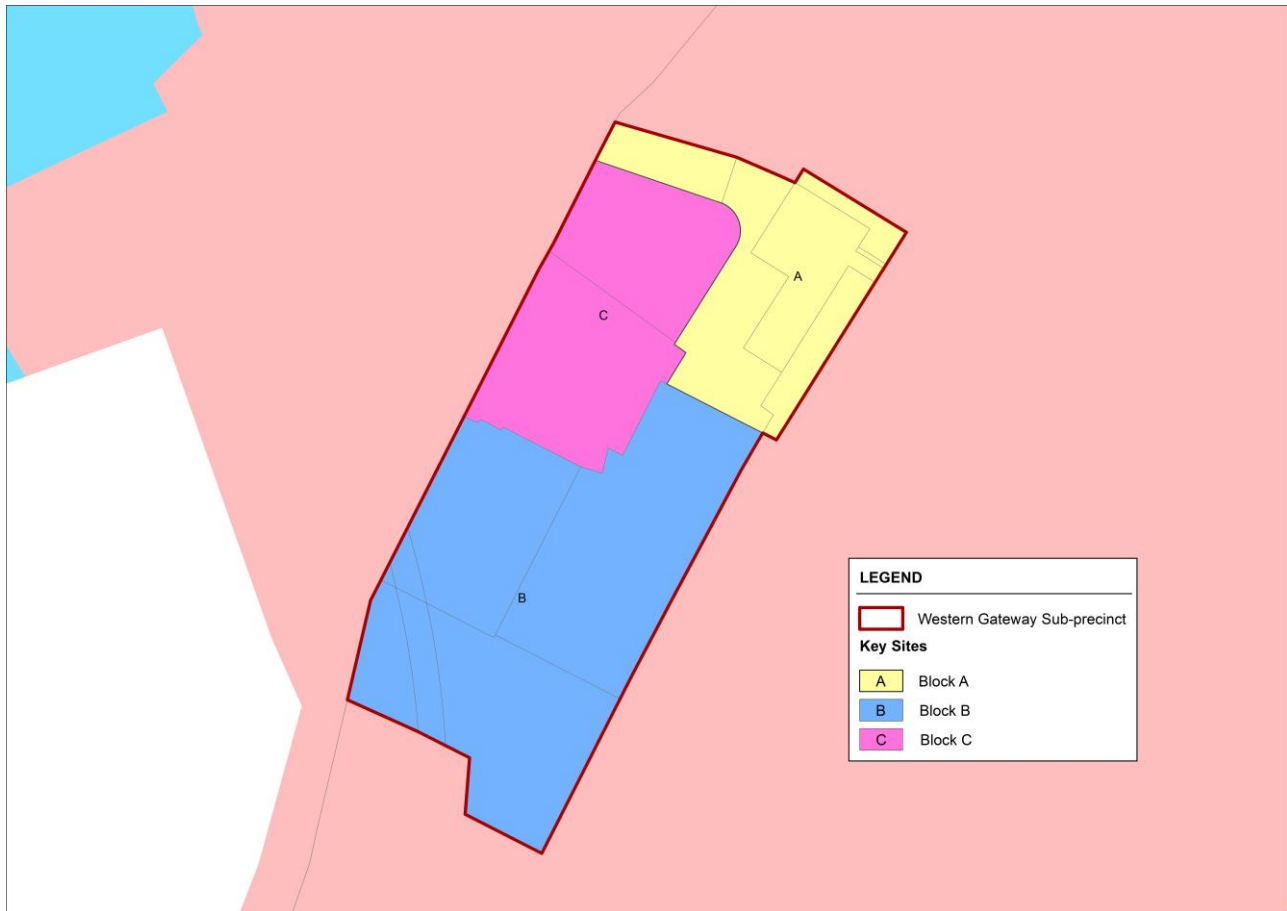


Figure 1 Proposed Sydney LEP 2012 Land Zones Map

## Locality and Site Identification

The Locality and Site Identification Map is proposed to be amended to identify the Western Gateway sub-precinct and to identify the Blocks within the sub-precinct (shown in Figure 2 below).



**Figure 2 Proposed Sydney LEP 2012 Site Identification Map**

## Special Character Area

The Western Gateway sub-precinct is proposed to be excluded from the Railway Square / Central Station Special Character Area (shown in Figure 3 below).



**Figure 3 Proposed Sydney LEP 2012 Character Area Map**