Submission Opposing the Proposed Redesign of Sites 7, 17 and 18

Green Square Town Centre - Stage 3 SSDA (SSD-83899206)
960A Bourke Street, Zetland

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1. Summary of Objection

I strongly oppose the proposed redesign of Sites 7, 17 and 18 at 960A Bourke Street, Zetland, currently on exhibition as a State Significant Development Application under the Housing Delivery Authority (HDA) pathway.

This submission is not an objection to housing density. As a long-time resident of the local area, I support high-density development and have not objected to any of the thousands of apartments already delivered across the Green Square precinct.

The revised proposal conflicts with key planning policies at both state and local level, including Planning Priority E11 of the Eastern City District Plan, the Green Square Town Centre DCP, and the strategic planning framework that has guided the development of this precinct for over a decade. It departs from the approved land use mix, active street frontage requirements, and the employment targets established for the town centre.

My objection is specific to these three sites. They sit directly adjacent to the civic plaza, library and Green Square Station. The revised proposal strips out the vast majority of the employment-generating floorspace that was central to their approval and replaces it with build-to-rent apartments that deliver a marginal increase in housing yield relative to the area.

What is lost in this trade is significant: a commercial centre that would deliver sorely needed local employment in an area with above-average unemployment; retail services for a catchment already in documented undersupply; and, critically, the supporting infrastructure that enables the precinct to absorb further residential density. Without the jobs, services and activation that these sites were planned to deliver, the capacity of Green Square to sustain continued housing growth is weakened, not strengthened.

The key facts are stark:

	Council-Approved Development	Revised HDA Proposal
Total GFA	~32,173 m²	~39,133 m² (+22%)
Floor Space Ratio	5.47:1	7.63:1 (+39%)
Retail / Commercial GFA	~5,400–6,500 m²	~1,846 m²
Non-residential share	~17–20%	~4.7%
Change in employment floorspace	-	–66% to –72%
Additional GFA provision (business/entertainment)	4,200 m²	Removed via rezoning
Active street frontages (cl. 6.6)	Required	Removed via rezoning
Affordable housing obligation (cl. 6.5)	Required	Removed via rezoning
Housing model	Market apartments + affordable	Build-to-rent

The proposal increases the total development by 22% while cutting employment-generating floorspace by roughly two-thirds. The 4,200 m² of additional floor space that was specifically agreed between the developer and the City of Sydney through the planning process, reserved for office, business, entertainment and childcare uses to ensure these sites delivered meaningful employment and activation, has been eliminated entirely.

Note: The 5,400–6,500 m² figure for the approved retail and commercial floorspace is an estimate derived from a review of the approved architectural plans, based on the total floor plates dedicated to commercial and retail uses across the three buildings. The approved plans do not separately itemise a single combined figure for non-residential GFA. The estimate is presented as a range to reflect this, and the reduction in employment-generating floorspace is substantial regardless of where the precise figure falls within that range.

2. Misuse of the HDA Pathway

The Housing Delivery Authority was established to accelerate housing supply in locations where development capacity is being constrained. These sites already had council-approved DAs. Green Square is not a location where housing supply is being constrained; it is one of the most rapidly densifying precincts in Australia, delivering approximately 50 new apartments per week according to the City of Sydney.

The HDA pathway is being used here not to unlock constrained housing capacity, but to bypass the City of Sydney's planning framework and resubmit a fundamentally different proposal that replaces commercial floorspace with additional residential yield. This is precisely the concern raised by the City of Sydney in its formal response to the HDA, which stated that the authority "risks overriding the requirements for services and infrastructure and replacing them with more and more homes."

A development that already had council approval does not need a state-level override. The most recent council DA included architectural plans submitted for approval by the proponent as recently as 5 April 2024, well after any post-GFC or post-COVID commercial market adjustments. Any argument that the commercial floorspace in the approved scheme reflected outdated market conditions is not credible when the proponent itself was actively pursuing a mixed-use approval through the council pathway just months before switching to the HDA. What is being sought here is not acceleration of housing supply; it is a commercially advantageous redesign that would not have been approved through the standard assessment process.

3. Transparency of Exhibition Material

The exhibition material for this proposal makes it unnecessarily difficult for the public to understand the scale and nature of the changes being proposed. The documentation does not provide a clear comparison between the previously approved development and the revised scheme, particularly in relation to key metrics such as gross floor area, employment-generating floorspace and land use distribution. Identifying the practical implications of the proposal requires detailed manual comparison of multiple sets of plans and reports; a task that is beyond the capacity of most community members.

Residents reviewing the proposal are not given a clear reference point against which to assess the changes, despite the fact that a substantially different development has already been approved for these sites. The comparison table in Section 1 of this submission took considerable time and effort to reconstruct from the available documentation. Many residents simply do not have the time, resources or technical expertise to undertake this level of analysis.

I can confirm anecdotally that this lack of transparency is affecting community engagement. Both online discussion and personal conversations with local residents reveal widespread misunderstanding of what is actually being proposed and how it differs from the approved scheme. Several residents I have spoken with were unaware that the revised proposal removes the majority of the commercial floorspace, or that the housing model has shifted from market apartments to build-to-rent.

For a proposal of this scale and strategic importance, on one of the most prominent sites in the town centre, clear and accessible comparative information should form part of the exhibition material. The absence of such information risks under-representing community opposition and undermines the legitimacy of the public participation process.

This concern is compounded by the exhibition period itself. A $336 million, 511-dwelling SSD with a concurrent rezoning on one of the most prominent remaining development sites in the town centre has been placed on exhibition for just 14 calendar days (26 February to 11 March 2026). For a proposal that requires residents to compare the revised scheme against previously approved plans across multiple document sets, 14 days is wholly inadequate for meaningful public participation.

4. Conflict with the Eastern City District Plan

The Eastern City District Plan (Greater Sydney Commission, March 2018) identifies Green Square–Mascot as a strategic centre within the Eastern Economic Corridor.

Planning Priority E11, Growing investment, business opportunities and jobs in strategic centres, states explicitly that "employment growth is the principal underlying economic goal for metropolitan and strategic centres" and that "the designation of a commercial core within a strategic centre, for economic and employment uses, may be necessary to manage the impact of residential developments in crowding out commercial activity."

The District Plan further notes that within the Green Square–Mascot strategic centre, commercial office space has already halved from approximately 400,000 m² to 200,000 m² since 2014. Removing an additional 3,650–4,650 m² of approved commercial floorspace from the civic core of the town centre moves directly against this planning priority.

The District Plan also states that "the delivery of housing should not constrain the ongoing operation and expansion of commercial and retail activities" within strategic centres. The revised proposal does exactly that.

5. Undermining the Green Square Employment Target

Strategic planning documents for the Green Square Town Centre identify a capacity of approximately 6,700 workers within the town centre itself, with approximately 7,800 jobs across the broader precinct (City of Sydney, Green Square Town Centre Planning Proposal – Stage 2 Sites).

The Green Square Town Centre Public Domain Strategy (adopted 25 March 2013) identifies the civic plaza and surrounding sites as the focal point of civic and economic life within the precinct.

Removing two-thirds of the employment floorspace from the sites directly flanking the civic plaza and station materially reduces the precinct's ability to meet these employment targets.

This is particularly significant given the socio-economic context of surrounding suburbs. ABS Census data shows that Waterloo recorded an unemployment rate of 9.4% at the 2021 Census, nearly double the national average at the time. Within the Waterloo social housing precinct specifically, unemployment reached 18.4% in 2016, three times the City of Sydney average of 6.0% (id Consulting, Waterloo Population and Demographics Study). Redfern similarly records elevated unemployment at 6.3% as of September 2025 compared to Greater Sydney's 4.2% (ABS Labour Force data). These are communities where accessible local employment within walking distance of the town centre is not an abstract planning objective; it is a critical need. Stripping employment-generating floorspace from the civic core directly undermines this outcome.

6. Demonstrated Retail Undersupply, Not Oversupply

The proponent's Economic Impact Statement claims approximately 26% shopfront vacancy across the town centre to justify reducing retail space. This figure is unreliable and misleading for three reasons:

First, it is based on a single snapshot inspection of a precinct still under construction, with no distinction between genuine vacancies, premises in fit-out, or recently completed tenancies not yet trading.

Second, the proponent's own data contradicts the narrative. Mirvac reports only one vacancy across its own Stages 1 and 2 retail holdings, a vacancy rate of approximately 2.2%.

Third, independent analysis commissioned by the City of Sydney directly contradicts the claim of oversupply:

- The Green Square and Southern Areas Retail Review (SGS Economics & Planning, August 2022) identified a projected retail undersupply of approximately 12,000 m² across the study area, with the largest supermarket under-provision in the Waterloo, Green Square and North Alexandria clusters.
- The Woolworths Waterloo Planning Proposal economic assessment (Ethos Urban, 2022) found that 45.3% of supermarket expenditure within postcode 2017 is directed to supermarkets outside the local area, a clear indicator of insufficient retail capacity.
- The Coles supermarket at Mirvac's own East Village shopping centre achieves annual sales of approximately $100 million, roughly three times the national average for a full-line supermarket. Mirvac's own published material confirms East Village has ranked number one in Australia for turnover per square metre among similar retail centres for 9 consecutive years.

The evidence is unambiguous: the Green Square catchment is undersupplied for retail, not oversupplied. Reducing retail capacity on these sites worsens an existing deficit.

Notably, the proponent's own exhibition material confirms this. The Alternative Design Excellence Strategy (Ethos Urban, 22 September 2025) records that in consultation with the City of Sydney on 3 June 2025, Council expressed a strong preference for the site to maintain its function as the heart of the strategic centre, with retailing, groceries, active food and beverage, medical and health and wellbeing uses considered highly desirable. The proponent has documented this feedback and then submitted a scheme that moves in the opposite direction.

7. Mirvac's Competing Commercial Interests and Internal Inconsistency

Mirvac owns and operates the East Village shopping centre, which is the dominant retail centre serving the Green Square catchment. As noted above, East Village achieves exceptionally strong trading performance.

The removal of retail floorspace from one of the most central remaining development sites in the town centre, by the same developer that owns the competing retail centre, warrants scrutiny. Less retail competition adjacent to the civic plaza directly benefits East Village's trading position.

The inconsistency extends beyond retail. Mirvac's own FY25 Annual Report (year ended 30 June 2025) tells investors that the office market is stabilising, with improved tenant demand driving lower national vacancy and improved effective rental growth, particularly in Sydney. The same report states that Mirvac's office portfolio has occupancy of 95.1 per cent. These are not the conditions under which a proponent should be arguing that commercial floorspace is unviable on a prime site adjacent to a railway station in inner Sydney.

The proponent cannot credibly tell investors that the Sydney commercial market is improving and their own office assets are 95% occupied, while simultaneously telling the consent authority that employment-generating floorspace should be removed from one of the most strategically important sites in the Green Square Town Centre. The consent authority should satisfy itself that the reduction in commercial floorspace reflects the strategic needs of the town centre, not the commercial interests of the proponent. Improving market conditions strengthen, not weaken, the case for retaining employment-generating floorspace in a location specifically identified as a strategic centre for jobs and economic activity.

8. Transit-Oriented Development Principles

Sites immediately adjacent to heavy rail stations are expected under widely recognised transit-oriented development (TOD) principles to support the highest concentration of employment, retail and civic activation, not predominantly residential uses.

Sites 7, 17 and 18 sit directly beside Green Square Station and form part of the primary pedestrian route between the station and the civic plaza. Converting the approved commercial podiums on these sites to build-to-rent residential is contrary to both TOD principles and the intent of the Green Square Town Centre DCP, which designates these sites for active mixed-use development fronting the civic square.

9. Concurrent Rezoning Removes Key Planning Protections

The proposal is not simply non-compliant with existing planning controls; the concurrent rezoning seeks to formally remove key protections from the LEP for these sites. Specifically, the rezoning proposes to exclude the site from the application of Clause 6.5 (Affordable housing) and Clause 6.6 (Active street frontages) of the Sydney LEP (Green Square Town Centre) 2013, and to remove Clause 4.4A (the 4,200 m² business-use GFA provision). These are not minor variations; they are the permanent deletion of planning obligations that were specifically designed to ensure these sites contributed to the employment, retail and affordable housing outcomes of the town centre.

On active frontages specifically, the proponent's own Statutory Compliance Table acknowledges that 100% activation as required by the LEP cannot be achieved. Sections of ground-floor frontage that were previously designated for retail in the approved DA are now allocated to internal Mirvac office space. Replacing public-facing retail with private office use on prime civic frontage is not a genuine constraint; it is a design choice. Rather than redesigning to comply, the proponent is asking for the obligation itself to be removed. Once deleted from the LEP, these protections cannot be reinstated for these parcels.

These frontages face directly onto the Green Square Civic Plaza. They are among the most important activation frontages in the entire town centre. Permanently removing the active frontage requirement from sites at the civic heart of the precinct sets a precedent that fundamentally undermines the planning framework.

10. Solar Access and Public Domain Impacts

Changes to building bulk and form raise concerns about additional overshadowing of the civic plaza, library and the Drying Green parkland.

Green Square is one of the most densely populated urban renewal precincts in Australia. The 6,200 m² Drying Green, the civic plaza and the library forecourt represent some of the only public open space available to a current population of approximately 41,900 residents, growing to an estimated 63,000 at completion. Any increase in overshadowing of these spaces directly reduces their amenity and utility for tens of thousands of residents.

11. Build-to-Rent Model and Community Outcomes

The revised proposal shifts from market apartments with an affordable housing component to a build-to-rent (BTR) model. While BTR can contribute to housing diversity, the shift raises legitimate concerns in this specific context.

BTR developments typically produce higher tenant turnover than owner-occupied buildings. At the civic heart of a town centre, adjacent to the library, plaza and station, a stable residential community is important for the long-term social cohesion of the precinct. The consent authority should consider whether a BTR model on these specific sites delivers appropriate community outcomes.

12. Design Excellence Process

The original DA for these sites was the product of a competitive design process as required under the Green Square planning controls for developments of this scale.

The accelerated HDA timeline meant that a conventional design competition was not undertaken for the revised scheme. Instead, an alternative design excellence strategy was endorsed by the NSW Government Architect. The consent authority should satisfy itself that the design quality achieved through this abbreviated process is genuinely equivalent to what would have been produced through a competitive process, particularly given the prominence of these sites flanking the civic plaza.

13. Precedent Risk and the Docklands Cautionary Example

Approving the removal of significant employment-generating floorspace from the most central sites in the town centre creates a precedent that will be difficult to contain. If commercial floorspace can be replaced with residential apartments on the sites directly adjacent to the civic plaza and station, there is no logical basis on which to resist similar conversions elsewhere in the precinct.

The cumulative effect would be a town centre that has delivered housing at scale but lacks the employment capacity, retail services and civic activation needed to support its population. This is the opposite of what the strategic planning framework for Green Square was designed to deliver.

Australia has already seen the consequences of this approach. Melbourne’s Docklands, one of the country’s largest urban renewal projects, is widely regarded as a cautionary example of what happens when developer-led planning prioritises residential yield at the expense of mixed-use balance, retail services and community infrastructure. RMIT urban planning professor Michael Buxton has described the result as a “failed model of urban form”.

Critically, the sterility of the Docklands precinct has become self-reinforcing: the absence of retail, services and street-level activation deterred further investment, depressed property values relative to comparable inner-city locations, and entrenched a “ghost town” reputation that the precinct is still spending hundreds of millions of dollars and decades of effort trying to overcome. The lesson is clear: maximising residential yield in the short term, at the expense of the commercial and community infrastructure that sustains a functioning urban centre, does not accelerate growth; it constrains it.

Green Square is at a critical juncture. The civic plaza, library, station and surrounding public domain are complete and functioning. The planning framework exists to deliver a balanced, self-sustaining town centre. Stripping the commercial capacity from the sites that frame the civic core risks repeating exactly the pattern that has cost Docklands a generation of remediation, and unlike Docklands, Green Square does not have the luxury of being adjacent to a major CBD to compensate for missing local services.

14. Conclusion and Request

This is not a debate about housing versus commercial space in the abstract. This is about whether the civic and economic heart of one of Australia's largest urban renewal projects should be hollowed out for a marginal increase in residential yield relative to the area, on sites that already had approval.

The revised proposal:

- Removes 66-72% of approved employment-generating floorspace
- Eliminates the 4,200 m² of business-use floor space reserved under Clause 4.4A
- Seeks concurrent rezoning to permanently remove Clause 6.5 (Affordable housing) and Clause 6.6 (Active street frontages) from these sites
- Conflicts with Planning Priority E11 of the Eastern City District Plan
- Contradicts both the City of Sydney's own retail demand analysis and Council's documented preference for retailing and services on these sites
- Undermines the Green Square employment target of 6,700 town centre workers
- Uses the HDA pathway to bypass a planning framework developed over more than a decade

I request that the consent authority refuse the application in its current form, or at minimum require the retention of the employment-generating floorspace and active retail frontages consistent with the originally approved development for Sites 7, 17 and 18.

In addition, given the documented retail undersupply across the Green Square catchment, including a projected shortfall of approximately 12,000 m² and significant supermarket expenditure leakage from the local area, any approved development on these sites should include provision for a supermarket or equivalent anchor retail tenant. These sites, directly adjacent to the station and civic plaza, represent one of the last opportunities to deliver a major retail anchor within the town centre core. Without such provision, the retail deficit affecting tens of thousands of current and future residents will continue to worsen.

References

1. Sydney LEP (Green Square Town Centre) 2013, Clause 4.4A - Additional floor space for certain uses

2. Sydney DCP 2012 - Green Square Town Centre amendment (25 March 2017)

3. Green Square Town Centre Public Domain Strategy (adopted 25 March 2013)

4. Green Square Town Centre Planning Proposal - Stage 2 Sites

5. City of Sydney Infrastructure Strategy - Final as Adopted

6. Eastern City District Plan (Greater Sydney Commission, March 2018), Planning Priority E11

7. Green Square and Southern Areas Retail Review (SGS Economics & Planning, August 2022)

8. Woolworths Waterloo Planning Proposal - Economic Assessment (Ethos Urban, 2022)

9. City of Sydney - Decision re Housing Delivery Authority (Council meeting minutes)

10. Development Application D/2017/564 - Sites 7 and 17, 960A Bourke Street, Zetland

11. Development Application D/2016/1557 - Site 18, 960A Bourke Street, Zetland

12. Mirvac - East Village Annual Reports and investor disclosures (re: turnover per m² rankings)

13. Mirvac - Green Square Community project information (greensquarecommunity.mirvac.com)

14. ABS Census of Population and Housing 2021 - QuickStats, Waterloo (NSW) SAL14201

15. id Consulting - Population and Demographics Study, Waterloo State Significant Precinct (prepared for UrbanGrowth NSW)

16. ABS Labour Force Survey data - Redfern SA2 117031642 (via AreaSearch, September 2025)

17. Shaw, K. (2013) Docklands Dreamings: Illusions of Sustainability in the Melbourne Docks Redevelopment, Urban Studies, 50(11)

18. Buxton, M. - cited in Time Out Melbourne, ‘Is there hope for the Docklands?’, 2017; and various media commentary on Docklands planning failures

19. Mirvac Property Trust FY25 Annual Report (year ended 30 June 2025), Directors' Report, Outlook - Office

20. Alternative Design Excellence Strategy (Ethos Urban, 22 September 2025) - including City of Sydney consultation outcomes (Table 17)

21. Notice of Exhibition, SSD-83899206 (Department of Planning, Housing and Infrastructure) - concurrent rezoning details

22. Statutory Compliance Table (Colliers Urban Planning, Appendix C to EIS) - cl. 6.5, 6.6 and 4.4A exclusions