

Waverley LEP 2012 Amendment No 1 - Macpherson and St Thomas Streets, Bronte

Proposal Title : **Waverley LEP 2012 Amendment No 1 - Macpherson and St Thomas Streets, Bronte**

Proposal Summary : **To implement Council's Macpherson and St Thomas Streets, Bronte, planning control review by:**

- 1. Rezoning 107 Macpherson Street from B1 Neighbourhood Centre to R3 Medium Density Residential to more accurately reflect its current use;**
- 2. Include a local planning provision to establish a limit on the size of retail premises in the Macpherson and St Thomas Streets Bronte Neighbourhood Centre that will give greater weight to the zone objectives and better reflect community expectations; and**
- 3. To include an additional permitted use on the site of the Bronte RSL Club to allow the continuance of this facility.**

PP Number : **PP_2013_WAVER_001_00** Dop File No : **13/05170-1**

Planning Team Recommendation

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

S.117 directions :

- 1.1 Business and Industrial Zones**
- 2.1 Environment Protection 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:**

- 1. The planning proposal be supported;**
- 2. That the planning proposal be considered as routine and exhibited for a period of 14 days;**
- 3. Consult with Transport for NSW (including Roads and Maritime Services). This can occur concurrently with public exhibition of the planning proposal;**
- 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.**
- 6. The inconsistency with the s117 directions 1.1 Business and Industrial Zones and 6.3 Site Specific Provisions is justifiably inconsistent.**
- 7. Council proposes to progress the planning proposal under delegation. The matter is considered to be of local significance and the use of Council's delegation is supported.**

Supporting Reasons : **The proposal:**

- >> is consistent with the directions in the Metropolitan Plan 2036;**
- >> provides certainty for the Macpherson and St Thomas Streets neighbourhood centre; and**
- >> is consistent with existing uses and is supported by good access to transport and other services.**

Panel Recommendation

Recommendation Date : **28-Mar-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to consider rezoning the site of the Bronte RSL Club to R3 Medium Density Residential and using Schedule 1 to permit registered clubs on the site or rezoning the Club site to B4 Mixed Use to permit registered clubs, as an alternative to using additional permitted uses. If one of the above approaches is supported, Council is to amend the planning proposal accordingly.
 2. Prior to undertaking public exhibition, Council is to update the planning proposal to include strategic reasoning behind limiting the size of retail premises in the Macpherson and St Thomas Streets Bronte Neighbourhood Centre to 400sqm, given that a Local Village Centres Economic Assessment commissioned by Council and undertaken by Hill PDA in 2006 recommended that a mini mart with an area of up to 500sqm would be appropriate for the Macpherson Street Centre.
 3. Prior to undertaking public exhibition, Council is to amend the 'explanation of provisions' within the planning proposal to remove the draft local clause applying to land in the Macpherson and St Thomas Streets Bronte Neighbourhood Centre and instead is to provide a plain English explanation of the intention of the proposed clause.
 4. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2012).
 5. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Transport for NSW
 - Roads and Maritime Services
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
6. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
 7. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:



Date:

