

**Sydney Local Environmental Plan - Amendment relating to sites in:- Nickson Street, Surry Hills; Pine Street, Newtown; and various sites in Alexandria, Waterloo, Rosebery and Zetland**

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| Proposal Title :   | Sydney Local Environmental Plan - Amendment relating to sites in:- Nickson Street, Surry Hills; Pine Street, Newtown; and various sites in Alexandria, Waterloo, Rosebery and Zetland                                                                                                                                                                                                                                                                                                                                                                |               |          |
| Proposal Summary : | <p><b>Amend Sydney LEP 2012 to:</b></p> <ol style="list-style-type: none"> <li>1. Rezone 37 to 61 Nickson Street, Surry Hills from Zone B4 Mixed Use to Zone R1 General Residential;</li> <li>2. List "The Three Proud People" mural at 39 Pine Street, Newtown in schedule 5 - Environmental Heritage - as an item of local heritage significance; and</li> <li>3. Identify five small parcels of land in Alexandria, Waterloo, Zetland and Rosebery as being required by the Roads and Maritime Authority for classified road purposes.</li> </ol> |               |          |
| PP Number :        | PP_2012_SYDNE_008_00                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Dop File No : | 13/01143 |

### 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
  - 2.4 Recreation Vehicle Areas
  - 3.1 Residential Zones
  - 3.2 Caravan Parks and Manufactured Home Estates
  - 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 1.1 Business and Industrial 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 6 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 towards the end of January 2013.
5. Council is to consult with Transport for NSW (Railcorp and Roads and Maritime Services) and the Office of Environment and Heritage. This can be undertaken during public exhibition.

Supporting Reasons : 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 development and serve to clarify Council's intention for the relevant sites.

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

**Panel Recommendation**

Recommendation Date : 17-Jan-2013

Gateway Recommendation : **Passed with Conditions**

Panel

Recommendation :

**The Planning Proposal should proceed subject to the following conditions:**

1. Prior to undertaking public exhibition, Council is to amend the commencement date within the project timeline of the planning proposal to late January 2013, which more accurately reflects the Gateway determination date. The dates in fields following the date of commencement will also require amendment.

2. 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 is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012) and must be made publicly available for 14 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 and Infrastructure 2012).

3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Office of Environment and Heritage
- Transport for NSW – Railcorp
- Roads and Maritime Services

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

4. 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).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMAN

Date:

22/01/2013