

Proposed amendment to planning controls applying to the North Rosebery Precinct under Sydney LEP 2012

Proposal Title :	Proposed amendment to planning controls applying to the North Rosebery Precinct under Sydney LEP 2012		
Proposal Summary :	City of Sydney Council is proposing to amend planning controls applying to land known as the North Rosebery Precinct under Sydney Local Environmental Plan 2012. The proposed amendments respond to urban design work and heritage reviews undertaken by Council which suggest that several sites within the precinct have greater development potential than is currently permitted. While several sites will receive increases to their development potential under Council's proposal, some sites will have their development potential reduced. The buildings on the land at 1-3 Rosebery Avenue are listed as local heritage items under Sydney LEP 2012. As a result of a heritage review, Council proposes to remove the southern most warehouse on the site from the heritage listing in schedule 5 of Sydney LEP 2012.		
PP Number :	PP_2013_SYDNE_003_00	Dop File No :	13/09768-1

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 6.1 Approval and Referral Requirements 7.1 Implementation of the Metropolitan Plan for Sydney 2036		
Additional Information :	It is recommended that the planning proposal proceed with the following conditions. 1. The proposal be exhibited for at least 28 days, 2. The proposal be completed within 12 months of the date of the Gateway Determination. 3. Council consult with Sydney Water, Transport for NSW and Botany Bay Council. This can occur concurrently with the public exhibition of the planning proposal. 4. Council amend the planning proposal to include the urban design studies which formed the basis of the planning controls contained in the proposal.		
Supporting Reasons :	The planning proposal should proceed. The controls proposed by Council will increase the North Rosebery Precinct's residential development capacity by 386 dwellings and ensure that new development provides good public amenity and appropriate built form. While the detailed height of building controls contained in the planning proposal could restrict the site's ability to respond to market conditions and unforeseen urban design issues during the development application stage, Council advises that extensive testing has been undertaken in formulating these controls. This work should form part of the planning proposal to explain and justify the proposed controls. Council advises that it intends to finalise the planning proposal by the end of 2013. This is ambitious as the proposed amendments relate to an entire precinct and a 12 month time frame is considered to be more realistic.		

Panel Recommendation

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Recommendation Date : 20-Jun-2013

Gateway Recommendation : Passed with Conditions

Panel

The planning proposal should proceed subject to the following conditions:

Recommendation :

1. Council is to place on public exhibition with the planning proposal, the urban design studies undertaken to inform the proposed amendments to development controls and heritage listing for land in the North Rosebery Precinct.
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 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 2013).
3. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:
 - Sydney Water
 - Transport for NSW
 - Botany Bay Council
 - Office of Environment and Heritage

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.

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 12 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

Neil McGowan

Date:

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