

Draft Planning Proposal

North Rosebery Precinct

May 2013

Sydney 2030 Green/Global/Connected

Introduction

This Planning Proposal explains the intent of, and justification for, the proposed amendment to *Sydney Local Environmental Plan 2012* (Sydney LEP 2012). This amendment will change the controls for sites in North Rosebery in a precinct generally bounded by Rothschild Avenue, Epsom Road, Dalmeny Avenue and Kimberley Grove.

The proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) and guidelines published by the Department of Planning and Infrastructure in October 2012, namely 'A guide to preparing planning proposals' and 'A guide to preparing local environmental plans'.

Background

This planning proposal proposes an amendment to the controls for the sites listed in Table 1. The summary and justification for the changes is addressed in the following pages.

Site	Property Description	Proposed Amendment
25-55 Rothschild Avenue	Lot 3 DP 1065657	Amendment to height and floor space ratio controls applicable to this site
5-13 Rosebery Avenue	Lot 2 DP 566811	Amendment to height and floor space ratio controls applicable to this site
1-3 Rosebery Avenue	Lot 1 DP 19528, Lot D DP 401964, Lot C DP 401964	Amendment to heritage, height and floor space ratio controls applicable to this site.
57-65 Epsom Road	Lot 1 DP 229802	Amendment to height controls applicable to this site
12-20 Rosebery Avenue	Lot 2 DP 229802	Amendment to height controls applicable to this site
108 Dalmeny Avenue	Lot 1 DP 311533	Amendment to height controls applicable to this site
22-40 Rosebery Avenue	Lot 100 DP 730818	Amendment to height controls applicable to this site
102 Dalmeny Avenue	Lot 721 DP 7534	Amendment to height and floor space ratio controls applicable to this site.
42-60 Rosebery Avenue	Lot 682 DP 7534, Lot 683 DP 7534, Lot 684 DP 7534, Lot 685 DP 7534, Lot 686 DP 7534, Lot 687 DP 7534, Lot 688 DP 7534, Lot 689 DP 7534, Lot 690 DP 7534, Lot A DP 323125	Amendment to height and floor space ratio controls applicable to this site.
94-100 Dalmeny Avenue	Lot 12 DP 853289	Amendment to height and floor space ratio controls applicable to this site.
88-92 Dalmeny Avenue	Lot 11 DP 853289	Amendment to height controls applicable to this site
84-86 Dalmeny Avenue	Lot 713 DP 7534, Lot 1 DP 540551	Amendment to height controls applicable to this site
62-73 Rosebery Avenue	Lot 693 DP 7534, Lot 692 DP 7534, Lot 691 DP 7534, Lot 694 DP 7534, Lot 695 DP 305655, Lot 696 DP 305655, Lot 707 305655, Lot 708 305655, Lot 709 DP 7534, Lot 710 DP 7534, Lot 711 DP 7534, Lot 712 7534	Amendment to height controls applicable to this site
3-11 Primrose Avenue	Lot 1 DP 598183	Amendment to floor space ratio controls applicable to this site
6-8 Crewe Place	Lot 1 DP 815997, Lots 1-13 SP 46973, Lots 15-19 SP 46973, Lots 20-23 SP 57649	Amendment to height controls applicable to this site
19 Rosebery Avenue	Lot 658 DP 7534	Amendment to height controls applicable to this site
21 Rosebery Avenue	Lot 1 DP 880733	Amendment to height controls applicable to this site
23-25 Rosebery Avenue	Lot 2 DP 880733, Lot 652 DP 7534	Amendment to floor space ratio controls applicable to this site
14-16 Primrose Avenue	Lot 544 DP 7534, Lot 545 DP 7534, Lot 651 DP 7534	Amendment to floor space ratio controls applicable to this site
18 Primrose Avenue	Lot 546 DP 7534, Lot 650 DP 7534	Amendment to height and floor space ratio controls applicable to this site

Council and CSPC Resolutions of March 2012

One of the above listed sites, 1-3 Rosebery Avenue, was one of 13 sites identified in the Council and Central Sydney Planning Committee (CSPC) resolutions of March 2012 when the *Sydney Local Environmental Plan 2012* was endorsed. Council and CSPC noted that further consideration be given to whether a planning proposal should be prepared to amend the planning controls for this site.

Wider Precinct Review

It was considered that, rather than amending the controls for 1-3 Rosebery Avenue in isolation, a review of the precinct in which the site is situated would provide an opportunity to deliver greater public benefit such as a coordinated street network and new open space. As such, this planning proposal seeks to amend the FSR and height controls currently applicable to a number of sites within the precinct to facilitate mixed use and residential development. The recommended controls reflect a scale of development that is considered appropriate for the site in its current and anticipated future context.

Part 1: Objectives/Intended Outcome

To enable redevelopment of the sites generally bounded by Rothschild Avenue, Epsom Road, Dalmeny Avenue and Kimberley Grove for mixed use and residential purposes and the provision of streets and public open space.

Part 2: Explanation of provisions

To achieve the proposed outcomes, the planning proposal seeks to amend the planning controls as follows:

Amendments to maps

- Amend Height of Buildings Map 18 of the *Sydney Local Environmental Plan 2012* in accordance with the proposed Height of Buildings Map shown at Map 1 of Part 4 of this planning proposal.
- Amend Height of Buildings Map 19 of the *Sydney Local Environmental Plan 2012* in accordance with the proposed Height of Buildings Map shown at Map 2 of Part 4 of this planning proposal.
- Amend Floor Space Ratio Map 18 of the *Sydney Local Environmental Plan 2012* in accordance with the proposed Floor Space Ratio Map shown at Map 3 of Part 4 of this planning proposal.
- Amend Floor Space Ratio Map 19 of the *Sydney Local Environmental Plan 2012* in accordance with the proposed Floor Space Ratio Map shown at Map 4 of Part 4 of this planning proposal.
- Amend Heritage Map 18 of the *Sydney Local Environmental Plan 2012* in accordance with the proposed Heritage Map shown at Map 5 of Part 4 of this planning proposal.

Amendments to 'Schedule 5 – Environmental heritage'

- Amend listing of heritage item I1379 in Schedule 5 of the *Sydney Local Environmental Plan 2012* as follows:

Locality	Item name	Address	Property Description	Significance	Item no
Rosebery	Former " National Springs " " <u>Moffat Virtue</u> " warehouse and office building including interiors	1–3 Rosebery Avenue	Lot 1, DP 19528; Lots C and D, DP 401964	Local	I1379

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Underline: Text to be added

Note regarding application of Clause 6.21 (Design excellence)

Height and FSR controls within the precinct are based on the application of the 10% design excellence FSR bonus being calculated based on FSR inclusive of any applicable community infrastructure floorspace bonus. That is to say, if a lot has a base FSR of 1:1, and a 0.5:1 potential community infrastructure floorspace bonus (resulting in a maximum FSR of 1.5:1) the design excellence bonus will be calculated as 10% of 1.5:1, not 10% of 1:1.

A planning proposal to amend the provisions for design excellence for Green Square and Central Sydney in the *Sydney Local Environmental Plan 2012* is being prepared separately to this planning proposal.

Part 3: Justification

Section A – Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

The public exhibition of the *draft Sydney Local Environmental Plan 2011* (draft Sydney LEP 2011) has lead to the need for this planning proposal. The exhibition generated several submissions which argued for changes to the draft controls. However, where a full and appropriate analysis of the submission would require substantial time and resources, it was considered that the progression of the LEP should not be delayed.

The draft Sydney LEP 2011 was adopted by Council and CSPC in March 2012. In acknowledgement of the submissions yet to be resolved, a number of sites were noted in the resolutions of Council and CSPC as warranting further consideration for a planning proposal to amend the planning controls.

Rather than reviewing the planning controls for 1-3 Rosebery Avenue in isolation, it was considered a better outcome could be achieved by reviewing the wider precinct as identified in Figure 1. The precinct has been identified for a number of years as an area in transition from industrial uses to primarily residential and mixed use and this is part of the reason for reviewing the whole precinct.

1-3 Rosebery Avenue is a heritage item in the *Sydney Local Environmental Plan 2012*. As such, a heritage review was undertaken by Council officers which informed the changes to the planning controls for this site.

Detailed Urban Design analysis has been undertaken to determine an appropriate layout of streets and pedestrian links and a suitable location for public open space. Testing was undertaken to determine appropriate increases to height and density on all sites and to ensure that an acceptable built form outcome could be achieved.

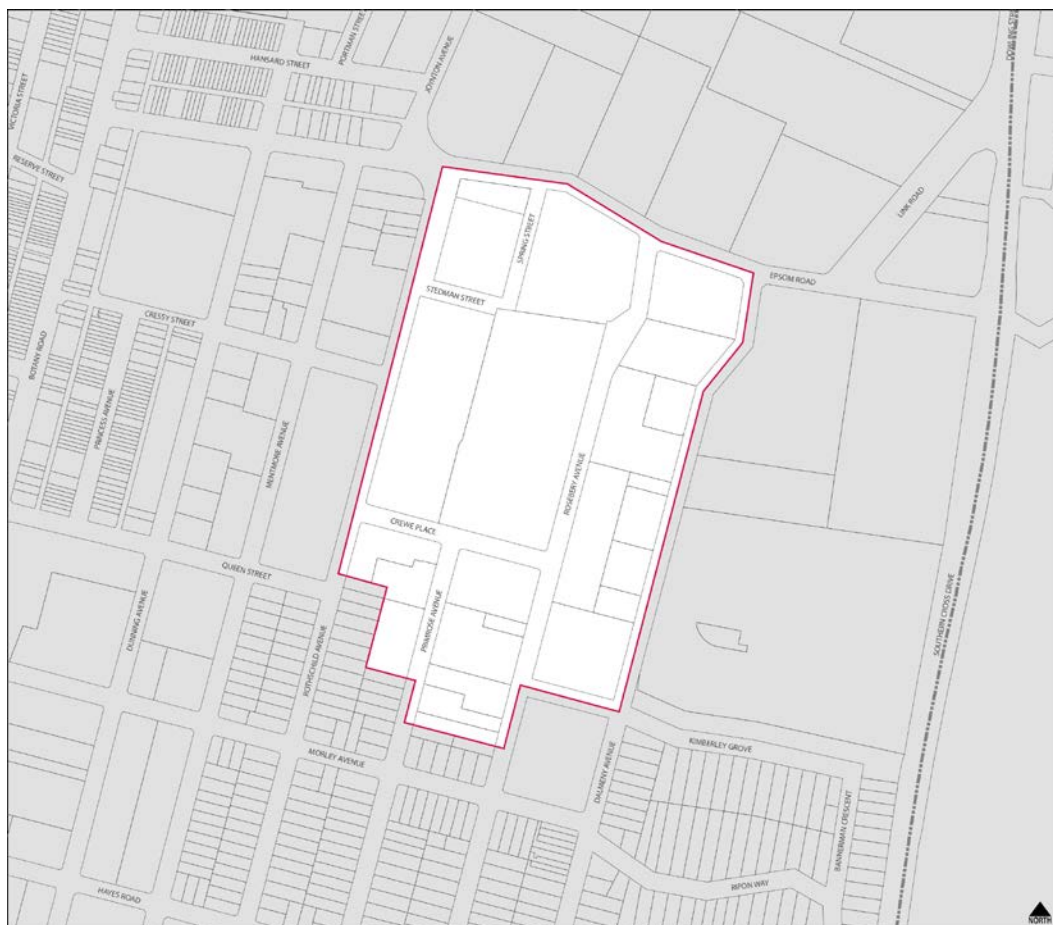


Figure 1 - North Rosebery Precinct

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

A planning proposal, and eventual amendment of the *Sydney Local Environmental Plan 2012*, is considered the most effective way of providing certainty for the local community and landowners and allowing orderly and economic development of the land.

Section B – Relationship to strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and the exhibited draft strategies)?*

In March 2013 the NSW Government published the draft *Metropolitan Strategy for Sydney to 2031*. It is on public exhibition until 31 May 2013. Once adopted, it will replace the *Metropolitan Plan for Sydney 2036*. However, until that time, the *Metropolitan Plan for Sydney 2036* is the applicable adopted strategy. In assessing the consistency of this planning proposal with metropolitan wide objectives, both the adopted and new draft strategies have been considered. The consistency of this planning proposal with both draft and adopted metropolitan strategies and the draft *Sydney City Subregional Strategy* is illustrated in detail in Table 2, Table 3 and Table 4.

Consistency with Metropolitan Plan for Sydney 2036	
Action	Consistency
B1.3: Aim to locate 80% of all new housing within the walking catchments of existing and proposed centres of all sizes with good public transport	The precinct is located close to existing services on Gardeners Road and Epsom Road and the planned future centres of Green Square Town Centre and Epsom Park.
B3.3: Provide for the protection and adaptive reuse of heritage items in centres undergoing urban renewal	The proposal ensures that the heritage office building and warehouse at 1-3 Rosebery Avenue is protected. Future adaptive reuse, most likely for commercial purposes, will provide a point of difference for this precinct.
D1.1: Locate at least 70% of new housing within existing urban areas and up to 30% of new housing in new release areas	The planning proposal will contribute towards the target of 70% of new housing being located within existing urban areas.
D2.1: Ensure local planning controls include more low rise medium density housing in and around smaller local centres	Redevelopment of the precinct will deliver medium density housing of a sympathetic scale to surrounding medium and low density residential development.
G8.1: Avoid noise-based land use conflict through strategic planning and the development assessment processes	The gradual transition of the precinct away from light industrial uses towards predominantly residential and some commercial uses will ensure that noise based conflict is reduced. Amenity impacts resulting from noise will be a key consideration during the development application process, as with all development in mixed use zones.
H3.1: Design and plan for healthy, safe, accessible and inclusive places	Introducing new streets to break up existing large blocks will make the precinct more permeable and increase passive surveillance and safety in the area. The proposed open space will provide opportunities for active and passive recreation, improved health and a focal point which encourages inclusiveness among residents and the wider community.

Table 2 - Consistency with Metropolitan Plan for Sydney 2036

Consistency with draft Metropolitan Plan for Sydney to 2031	
Objective	Consistency
2: Strengthen and grow Sydney's centres	Being located in close proximity to the future Green Square Town Centre, the proposal will provide additional housing, employment and services in an area well-suited for redevelopment.

Consistency with draft Metropolitan Plan for Sydney to 2031	
5: Deliver new housing to meet Sydney's growth	The planning proposal will facilitate the transition of the precinct from light industrial to mixed uses and residential. In doing so, new housing will be delivered to help meet Sydney's housing growth.
6: Deliver a mix of well-designed housing that meets the needs of Sydney's population	The planning proposal provides for the delivery of a mix of both residential apartments and lower-rise townhouses in the southern part of the precinct.
8: Create socially inclusive places that promote social, cultural and recreational opportunities	The proposed public open space within the precinct will act as a focal point for the new community, encouraging community connections and inclusiveness among existing and new residents.
9: Deliver accessible and adaptable recreation and open space	The planning proposal provides for the delivery of over 6,000 square metres of public open space to act as local parks for both active and passive recreation.
14: Provide a good supply of office space	The planning proposal will incentivise redevelopment of sites currently used for light industrial purposes. Given the mixed use zoning, it is anticipated that predominantly residential uses will be proposed. However, areas where commercial uses are preferred will be identified in the <i>Sydney Development Control Plan 2012</i> and it is envisaged that some of these will be used for offices.
15: Provide a good supply of retail space	The amendment to the <i>Sydney Development Control Plan 2012</i> which supports the planning proposal will identify areas where retail uses are the preferred outcome.
26: Improve accessibility and connectivity for centres and for new urban areas	The coordinated network of streets and pedestrian links that will be delivered as a result of the planning proposal and supporting DCP controls will improve accessibility and connectivity within the precinct.

Table 3 - Consistency with draft Metropolitan Plan for Sydney to 2031

Consistency with Sydney City Draft Subregional Strategy	
Strategy A: Economy and Employment	
Directions	Consistency
A1: Provide suitable commercial sites and employment lands in strategic areas	Retaining the majority of the heritage office building and warehouse at 1-3 Rosebery Avenue will provide a large and flexible space for adaptive reuse. This site is suitable for a variety of commercial and retail uses in a well connected area. The mixed use zoning of the precinct will allow for commercial and retail uses on other sites that are compatible with predominantly residential uses.
Strategy B: Centres and Corridors	
Directions	Consistency
B2: Increase densities in centres whilst improving liveability. B4: Concentrate activities near public transport. B6: Focus development in renewal corridors to maximise infrastructure use where demand and opportunities exist.	The proposal enables increase in density, retail and commercial activity within close proximity of bus routes and 900m of the Green Square Train Station. This is consistent with <i>Objective B4.1: Concentrate retail activity in centres, business development zones and enterprise corridors.</i> Upgrades to the public domain, including the provision of public open space, that will result from this planning proposal will improve the liveability of the area.

Consistency with Sydney City Draft Subregional Strategy	
Strategy C: Housing	
Directions	Consistency
C1: Ensure adequate supply of land and sites for residential development. C2: Plan for a housing mix near jobs, transport and services. C3: Renew local centres. C4: Improve housing affordability. C5: Improve the quality of new development and urban renewal.	The planning proposal will incentivise residential development on certain lots through increased floor space ratio and height controls. The planning proposal delivers controls which will result in high quality built form with minimal amenity impacts. The urban design study which underpins the planning proposal focussed on a high quality outcome.
Strategy D: Transport	
Directions	Consistency
D3: Influence travel choices to encourage more sustainable travel.	The new network of streets, pedestrian links and open space along with improvements to the public domain and human scale built form will encourage more trips to be taken using active transport.
Strategy E: Environment and Resources	
Directions	Consistency
E2: Protect Sydney's natural environment. E6: Conserve Sydney's cultural heritage.	In developing the planning proposal, consideration has been given to a number of mature fig trees within the area. Adequate setbacks have been instated to ensure their protection. By retaining the heritage listing over the majority of the buildings at 1-3 Rosebery Avenue, a key piece of Sydney's cultural heritage will be retained.
Strategy F: Parks and Public Places	
Directions	Consistency
F1: Increase access to quality parks and public places. F2: Provide a diverse mix of parks and public places.	The planning proposal provides for the delivery of new public open space. This new open space will be in the form of two local parks with a combined area of approximately 6,000 square metres. These parks will also serve as links between other open spaces.

Table 4 - Consistency with Sydney City Draft Subregional Strategy

4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Sustainable Sydney 2030 (SS2030) is the vision for sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. Table 5 shows the consistency of this planning proposal with key directions of SS2030.

Consistency with Sustainable Sydney 2030	
Direction	Comment
Direction 1 – A globally competitive and innovative city	The proposal does not contain any elements which are inconsistent with this direction.
Direction 2 – A leading environmental performer	The redevelopment of the site will lead to new building stock with significantly improved environmental performance than the current industrial buildings. It is likely that the heritage listed building at 1-3 Rosebery Avenue will be adaptively reused. The refurbishment that would be undertaken to allow this adaptive reuse would improve the environmental performance of the building in accordance with Objective 2.3: <i>Improve the environmental performance of existing buildings.</i>

Consistency with Sustainable Sydney 2030	
Direction	Comment
Direction 3 – Integrated transport for a connected city	The centre of the precinct is approximately 900m from Green Square Train station which offers regular services to the airport and central Sydney. The site is also serviced by bus routes which connect it with central Sydney and also with the University of New South Wales. Maximum car parking rates as stipulated in the <i>Sydney Local Environmental Plan 2012</i> will be enforced on site which will assist with managing car travel demand.
Direction 4 – A city for walking and cycling	The proposal sees the introduction of new streets, pedestrian links and open space. These have been designed to reflect desire lines and encourage short trips to be taken by bicycle and by foot. The creation of open space and redevelopment to provide residential accommodation will lead to greater activation of the public domain and a greater sense of security. Proposed non-residential uses fronting the open space will further activate the public domain and provide an environment more conducive to active transport.
Direction 5 – A lively and engaging city centre	The proposal does not contain any elements which are inconsistent with this direction.
Direction 6 – Vibrant local communities and economies	The planning proposal will facilitate the redevelopment of a large area of land for mixed use purposes. Open space, shops/cafes and an increased population will lead to a renewed vibrancy. The retention of large floorplate industrial warehouse at 1-3 Rosebery Avenue will likely be used for commercial uses which will complement the proposed activity node at the junction of Epsom Road and Rothschild Avenue.
Direction 7 – A cultural and creative city	The retention of the majority of the warehouse at 1-3 Rosebery Avenue will provide opportunities for adaptive re-use. This space could be converted to support creative industries in a well connected area.
Direction 8 – Housing for a diverse population	The proposal will facilitate the provision of residential accommodation by the private market in accordance with objective 8.1. The Rosebery Estate to the south of the precinct is predominantly single storey houses on large lots and is populated mostly by families. The proposal will allow for a diversity of population within a good distance of the Green Square Town Centre.
Direction 9 – Sustainable development, renewal and design	New street and open space provided in the precinct will enhance the pedestrian experience, in accordance with objective 9.2 of direction 9. The built form that can be achieved under the amended controls has been carefully developed to ensure that it will integrate with the grain of both the higher density residential areas to the north and the lower density areas to the south.
Direction 10 – Implementation through effective partnerships	The proposal does not contain any elements which are inconsistent with this direction.

Table 5 - Consistency with Sustainable Sydney 2030

5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The consistency of the planning proposal with applicable State Environmental Planning Policies (SEPPs) is outlined in Table 6. Table 7 shows the consistency of the planning proposal with former Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan Regions, which are deemed to have the weight of SEPPs. Those SEPPs which have been repealed or were never finalised are not included in this table.

State Environmental Planning Policy (SEPP)	Comment
SEPP No 1—Development Standards	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 4—Development Without Consent and Miscellaneous Exempt and Complying Development	Not applicable.
SEPP No 6—Number of Storeys in a Building	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 10—Retention of Low Cost Rental Accommodation	Not applicable.
SEPP No 14—Coastal Wetlands	Not applicable.
SEPP No 15—Rural Landsharing Communities	Not applicable.
SEPP No 19—Bushland in Urban Areas	Not applicable.
SEPP No 21—Caravan Parks	Not applicable.
SEPP No 22—Shops and Commercial Premises	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 26—Littoral Rainforests	Not applicable.
SEPP No 29—Western Sydney Recreation Area	Not applicable.
SEPP No 30—Intensive Agriculture	Not applicable.
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Consistent. The planning proposal represents an opportunity for significant urban renewal and enables a range of uses appropriate to the site.
SEPP No 33—Hazardous and Offensive Development	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 36—Manufactured Home Estates	Not applicable.
SEPP No 39—Spit Island Bird Habitat	Not applicable.
SEPP No 41—Casino Entertainment Complex	Not applicable.
SEPP No 44—Koala Habitat Protection	Not applicable.
SEPP No 47—Moore Park Showground	Not applicable.
SEPP No 50—Canal Estate Development	Not applicable.
SEPP No 52—Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 53—Metropolitan Residential Development	Not applicable.
SEPP No 55—Remediation of Land	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 59—Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 60—Exempt and Complying Development	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 62—Sustainable Aquaculture	Not applicable.
SEPP No 64—Advertising and Signage	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 65—Design Quality of Residential Flat Development	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 70—Affordable Housing (Revised Schemes)	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP No 71—Coastal Protection	Not applicable.

State Environmental Planning Policy (SEPP)	Comment
SEPP (Building Sustainability Index: BASIX) 2004	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Major Development) 2005	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Infrastructure) 2007	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Kosciuszko National Park—Alpine Resorts) 2007	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Temporary Structures) 2007	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.
SEPP (Affordable Rental Housing) 2009	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Development on Kurnell Peninsula) 2005	Not applicable.

Table 6 - Consistency with State Environmental Planning Policies (SEPPs)

Regional Environmental Plan (REPs)	Comment
Sydney REP No 5—(Chatswood Town Centre)	Not applicable.
Sydney REP No 8 (Central Coast Plateau Areas)	Not applicable.
Sydney REP No 9—Extractive Industry (No 2—1995)	Not applicable.
Sydney REP No 11—Penrith Lakes Scheme	Not applicable.
Sydney REP No 13—Mulgoa Valley	Not applicable.
Sydney REP No 16—Walsh Bay	Not applicable.
Sydney REP No 17—Kurnell Peninsula (1989)	Not applicable.
Sydney REP No 18—Public Transport Corridors	Not applicable.
Sydney REP No 19—Rouse Hill Development Area	Not applicable.
Sydney REP No 20—Hawkesbury- Nepean River (No 2—1997)	Not applicable.
Sydney REP No 24—Homebush Bay Area	Not applicable.
Sydney REP No 25—Orchard Hills	Not applicable.
Sydney REP No 26—City West	Not applicable.
Sydney REP No 28—Parramatta	Not applicable.
Sydney REP No 29—Rhodes Peninsula	Not applicable.
Sydney REP No 30—St Marys	Not applicable.
Sydney REP No 33—Cooks Cove	Not applicable.
Sydney REP (Sydney Harbour Catchment) 2005	Consistent - The planning proposal does not contain provisions that contradict or would hinder application of this REP.

Regional Environmental Plan (REPs)	Comment
Drinking Water Catchments REP No 1	Not applicable.
Greater Metropolitan REP No 2— Georges River Catchment	Not applicable.

Table 7 - Consistency with former Sydney and Greater Metropolitan Regional Environmental Plans (REPs)

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The planning proposal has been assessed against each Section 117 direction. The consistency of the planning proposal with these directions is shown in Table 8 below.

No.	Title	Comment
1. Employment and Resources		
1.1	Business and Industrial Zones	Not applicable
1.2	Rural Zones	Not applicable
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable
1.4	Oyster Aquaculture	Not applicable
1.5	Rural Lands	Not applicable
2. Environment and Heritage		
2.1	Environment Protection Zones	Not applicable
2.2	Coastal Protection	Not applicable
2.3	Heritage Conservation	Consistent. The planning proposal will ensure the ongoing protection of heritage items. The amendment to the listing at 1-3 Rosebery Avenue is of minor significance.
2.4	Recreation Vehicle Areas	Not applicable
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Consistent. The planning proposal will increase the amount and variety of housing in the City of Sydney LGA.
3.2	Caravan Parks and Manufactured Home Estates	Not applicable
3.3	Home Occupations	Consistent. The planning proposal does not contradict or hinder application of the home occupation provisions in Sydney LEP 2012.
3.4	Integrating Land Use and Transport	Consistent. The planning proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
3.5	Development Near Licensed Aerodromes	Not applicable
3.6	Shooting Ranges	Not applicable
4. Hazard and Risk		
4.1	Acid Sulfate Soils	Consistent. The planning proposal does not contradict or hinder application of acid sulphate soils provisions in Sydney LEP 2012.
4.2	Mine Subsidence and Unstable Land	Not applicable

4.3	Flood Prone Land	Consistent. The planning proposal does not contradict or hinder application of flood prone land provisions in Sydney LEP 2012.
4.4	Planning for Bushfire Protection	Not applicable
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable
5.2	Sydney Drinking Water Catchments	Not applicable
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8	Second Sydney Airport, Badgerys Creek	Not applicable
6. Local Plan Making		
6.1	Approval and Referral Requirements	Consistent. The planning proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2	Reserving Land for Public Purposes	The planning proposal will not affect any land reserved for public purposes.
6.3	Site Specific Provisions	Not applicable
7. Metropolitan Planning		
7.1	Implementation of the Metropolitan Plan for Sydney 2036	Consistent. The planning proposal does not contradict or hinder application of the Metropolitan Plan for Sydney 2036.

Table 8 - Consistency with applicable Ministerial Directions under Section 117

Section C – Environmental, social and economic impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

There are 8 large Hills Figs (*Ficus microcarpa* var. *hillii*) on the boundary between 1-3 Rosebery Avenue and 5-13 Rosebery Avenue. The proposal sees these trees retained and protected through the implementation of a 15 metre setback.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The proposal would increase permissible heights throughout the precinct which could result in unacceptable overshadowing of the public and private domain. Urban Design analysis undertaken to determine appropriate built form has included shadow analysis to ensure overshadowing impacts are minimised. Further, SEPP 65 would ensure any overshadowing and overlooking is minimised at development application stage to protect the amenity of surrounding properties.

As with all brownfield urban renewal, contaminated land is a potential environmental issue. However, it is noted that the precinct is already zoned B4 Mixed Use and that the permissibility of residential development in the precinct is not a result of this proposal, rather something that was already extant. Further, contamination studies will be required at development application stage and will be required to address different future uses (e.g. land to be used as public open space).

Council is currently developing a Flood Management Study and Plan for the wider Alexandria Canal Catchment, within which the subject precinct is located. The final Flood Management Plan will inform future changes to planning controls. While the subject precinct is within this study area, it is known that it does not experience significant flooding issues. Furthermore, there are appropriate provisions

in the *Sydney Local Environmental Plan 2012* to ensure that future development manages the impacts of flooding and stormwater.

9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal would allow development with a number of positive social and economic effects. Increased density and height controls, along with the current mixed use zoning, would encourage residential development which would in turn provide greater housing choice. Another benefit of residential redevelopment is that it would help contain residential growth to existing brownfield land and thus reduce the pressure on surrounding commercial land to incorporate residential uses.

The retention of most of the heritage warehouse at 1-3 Rosebery Avenue would most likely ensure that some commercial uses were retained in the precinct which would provide important local employment and give the neighbourhood a true mixed use character.

The proposal also provides for 6,000 square metres of public open space in the form of two local parks. This is an important benefit for both the existing and new community and will act as a social connector.

Section D – State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

The site is adequately serviced by public transport infrastructure. Bus routes to the City and to the University of New South Wales and Prince of Wales Hospital service the area. The Green Square Train Station is approximately 900m away.

The full range of utility services including electricity, telecommunications, water, sewer and stormwater are all currently available across the site. It is expected that these services would be upgraded where required as individual development occur.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

To be completed after public authority consultation in accordance with Gateway determination.

Part 4: Mapping

The planning proposal seeks to amend the height, floor space ratio and heritage controls in the *Sydney Local Environmental Plan 2012* in accordance with maps on the following pages.

Map 1: Height of Buildings Map – Sheet HOB_018



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_018

Maximum Building Height (m)

A	3	W1	40
E	6	W2	42
H	7.5	X	45
I	8	Y	50
J	9	Z	55
L	11	AA1	60
M	12	AA2	65
O	15	AA3	70
P	18	AB1	80
R	22	AB2	85
S	24	AC	110
T1	25	AD	130
T2	27	AE	150
T3	28	AH	235
T4	29	Area 1	
U1	30	Area 2	
U2	33	Area 3	
V	35	Area 4	

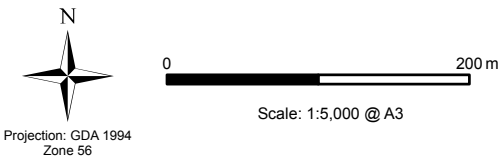
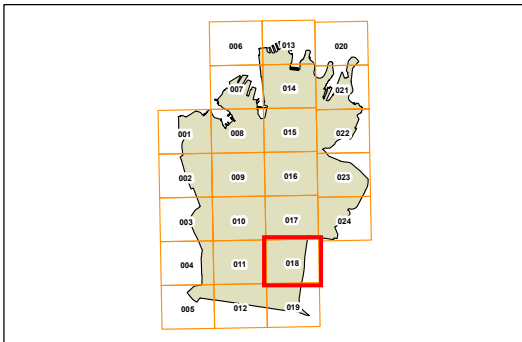
Maximum Building Height (m) Heights shown on map in RL (m)

10	46.7
28.6	60
42	71
46	98

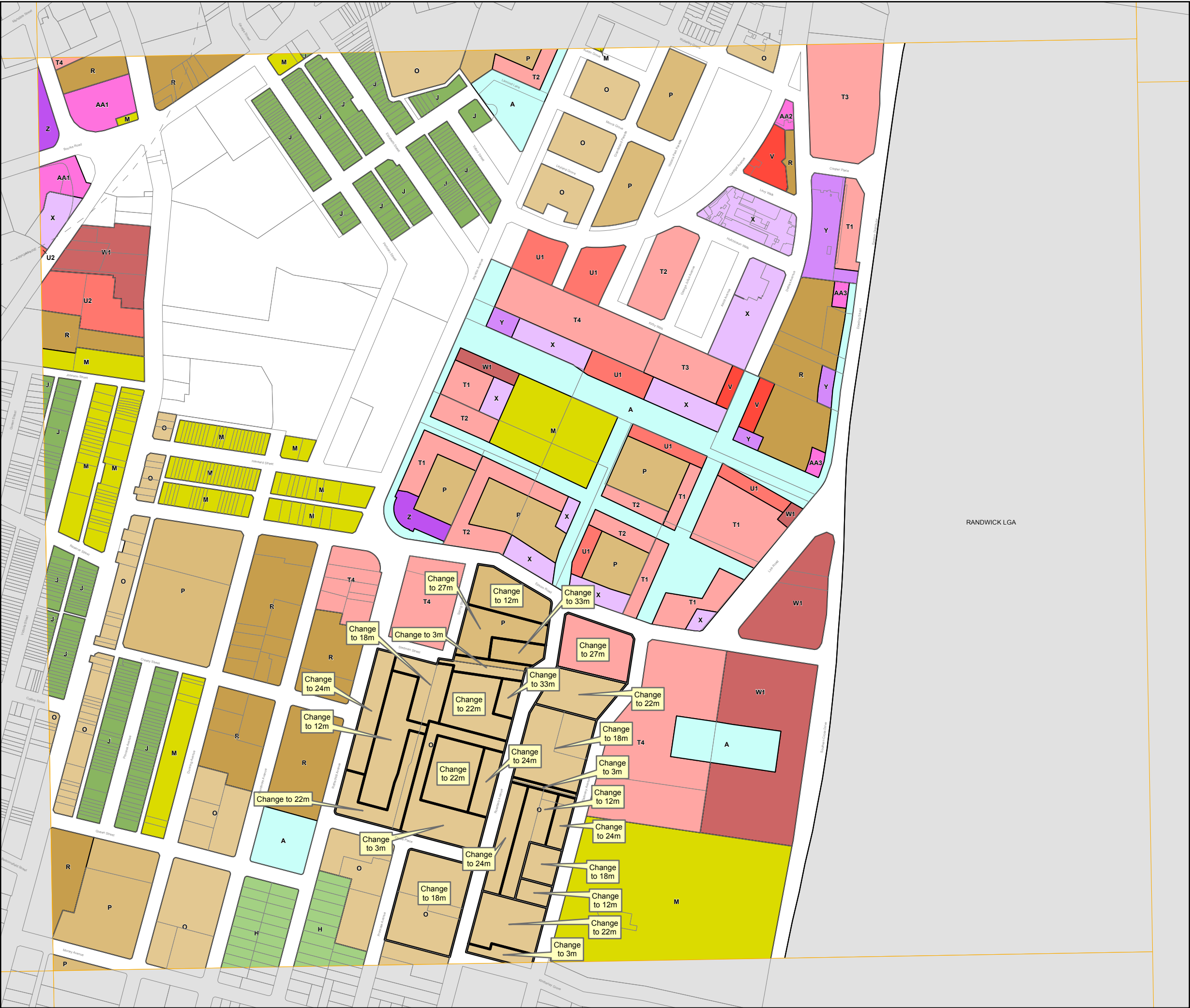
Change

Cadastre

Cadastre 18/04/2013 © City of Sydney



Map identification number:
7200_COM_HOB_018_005_20130418



Map 2: Height of Buildings Map – Sheet HOB_019



Sydney Local Environmental Plan 2012

Height of Buildings Map - Sheet HOB_019

Maximum Building Height (m)

A	3	W1	40
E	6	W2	42
H	7.5	X	45
I	8	Y	50
J	9	Z	55
L	11	AA1	60
M	12	AA2	65
O	15	AA3	70
P	18	AB1	80
R	22	AB2	85
S	24	AC	110
T1	25	AD	130
T2	27	AE	150
T3	28	AH	235
T4	29		
U1	30		
U2	33		
V	35		
		Area 1	
		Area 2	
		Area 3	
		Area 4	

Maximum Building Height (m)

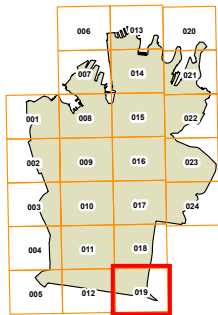
Heights shown on map in RL (m)

	10	46.7
	28.6	60
	42	71
	46	98

Change

Cadastre

Cadastre 18/04/2013 © City of Sydney

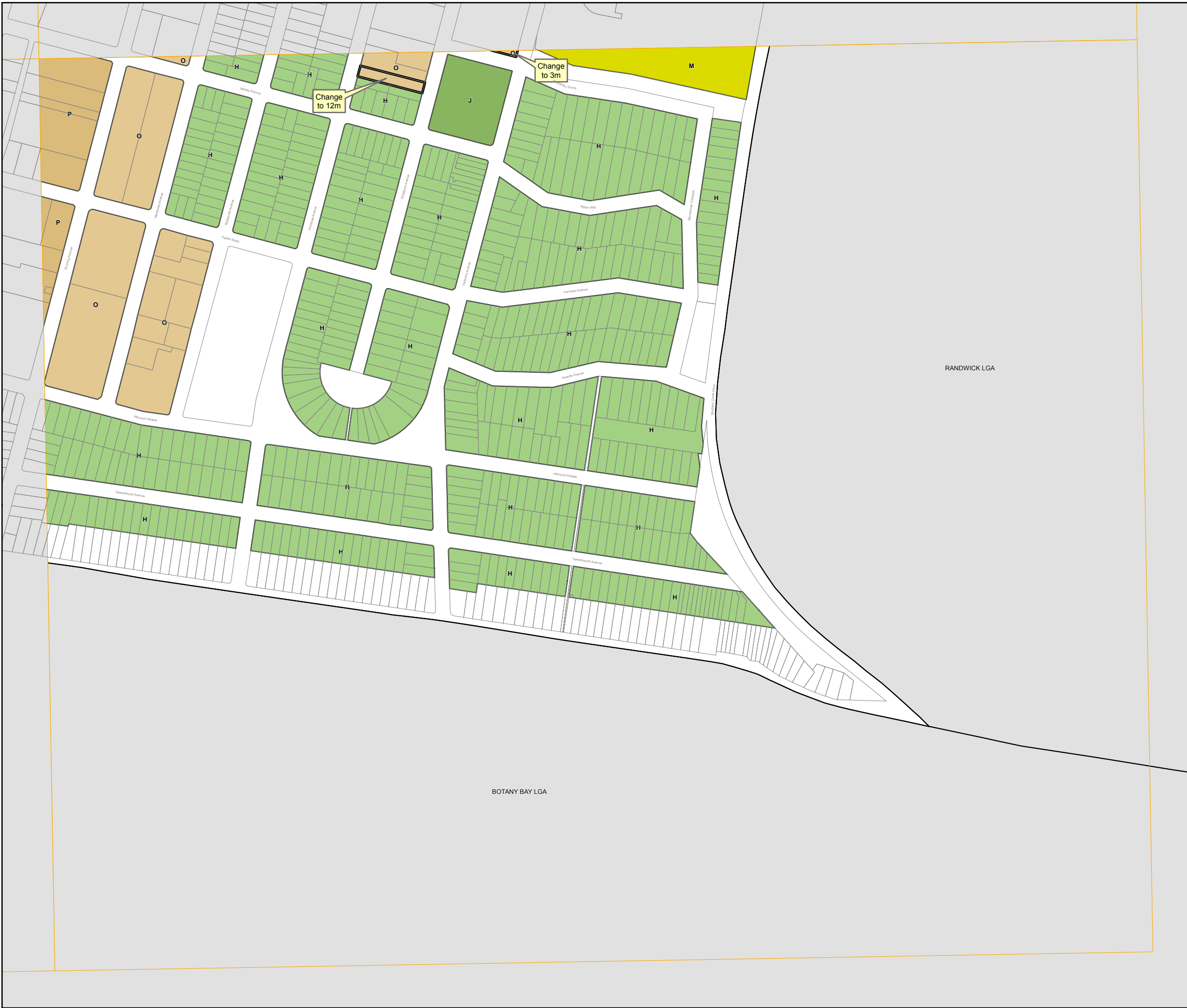


0 200 m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_HOB_019_005_20130418



Map 3: Floor Space Ratio Map – Sheet FSR_018



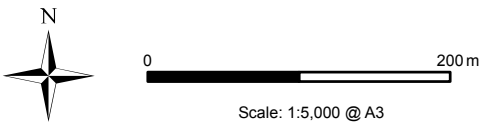
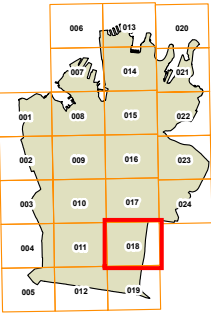
Sydney Local Environmental Plan 2012

Floor Space Ratio Map - Sheet FSR_018

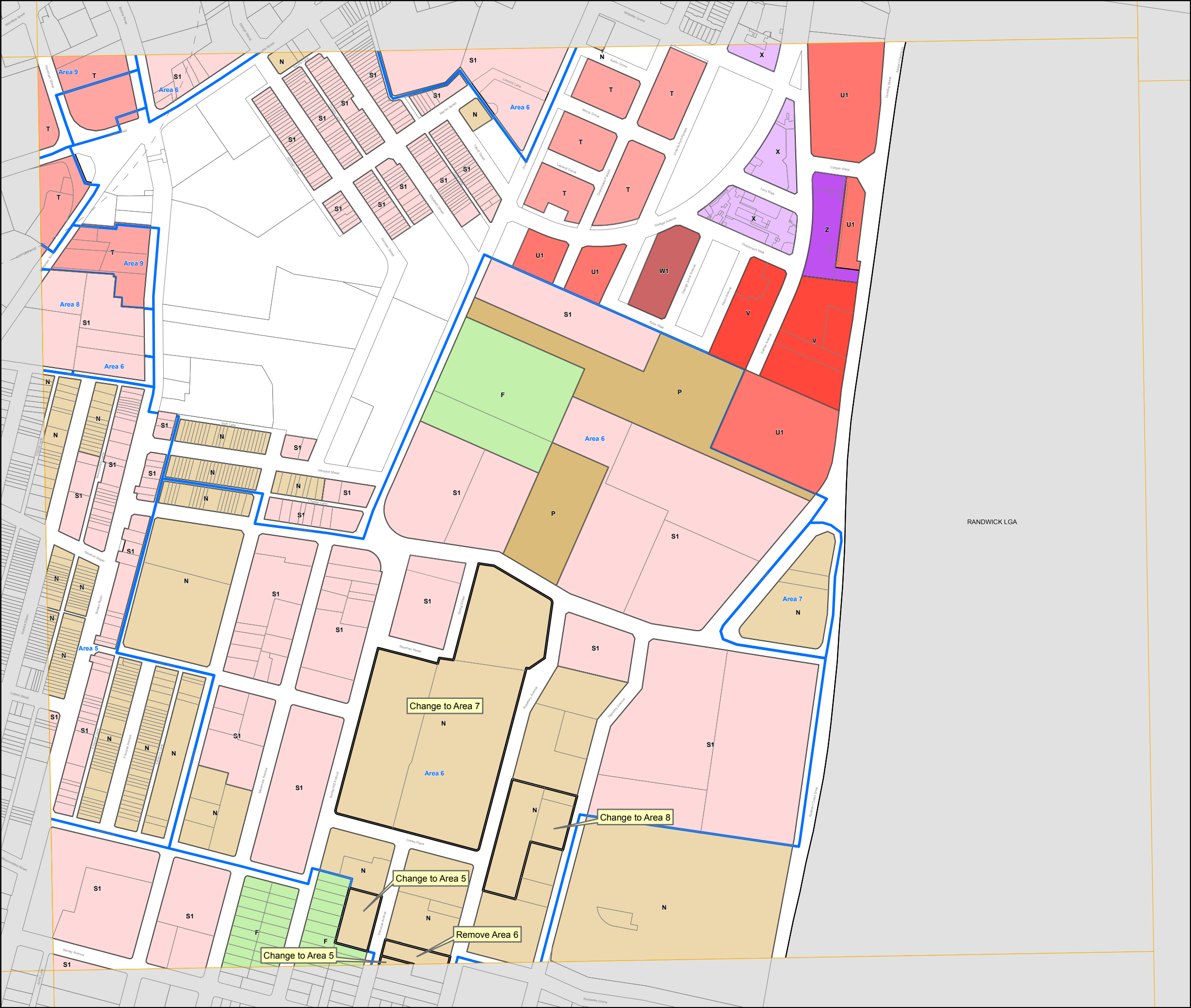
Maximum Floor Space Ratio (n:1)

F	0.6	X	4
H	0.7	Y	4.5
J	0.8	Z	5
L	0.9	AA1	6
N	1	AA2	6.5
P	1.25	AB1	7
S1	1.5	AB2	7.5
S2	1.75	AC	8
T	2	AD	9
U1	2.5	AE	10
U2	2.75	AF	11
V	3		
W1	3.5		
W2	3.75		
			Refer to clause 6.14
			Refer to clause 6.4
			Change

Cadastre
Cadastre 18/04/2013 © City of Sydney



Projection: GDA 1994
Zone 56
Map identification number:
7200_COM_FSR_018_005_20130418



Map 4: Floor Space Ratio Map – Sheet FSR_019



Sydney Local Environmental Plan 2012

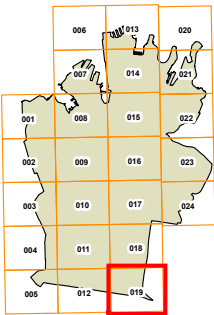
Floor Space Ratio Map - Sheet FSR_019

Maximum Floor Space Ratio (n:1)

F	0.6	X	4
H	0.7	Y	4.5
J	0.8	Z	5
L	0.9	AA1	6
N	1	AA2	6.5
P	1.25	AB1	7
S1	1.5	AB2	7.5
S2	1.75	AC	8
T	2	AD	9
U1	2.5	AE	10
U2	2.75	AF	11
V	3		Refer to clause 6.14
W1	3.5		Refer to clause 6.4
W2	3.75		Change

Cadastral

Cadastral 15/04/2013 © City of Sydney

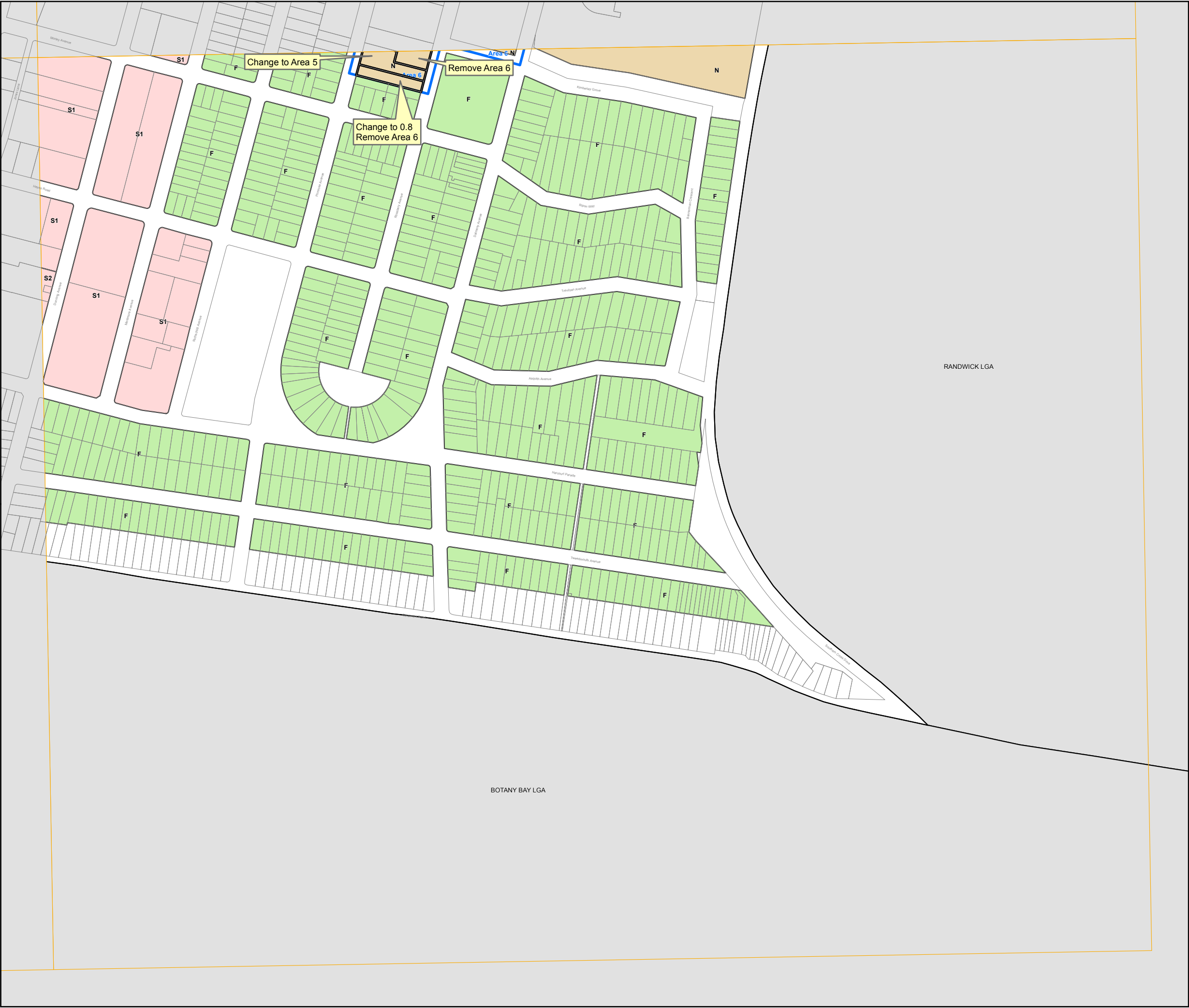


0 200m

Scale: 1:5,000 @ A3

Projection: GDA 1994
Zone 56

Map identification number:
7200_COM_FSR_019_005_20130415



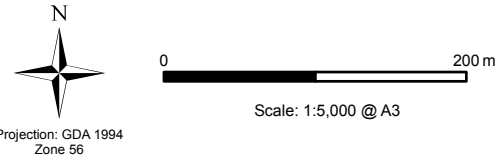
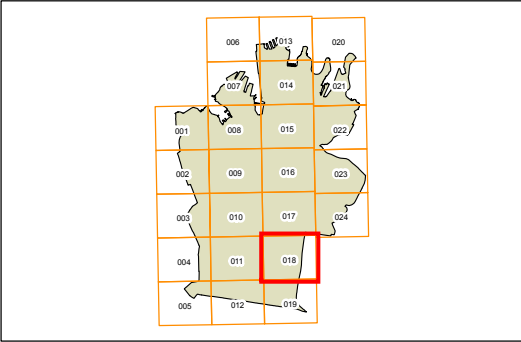
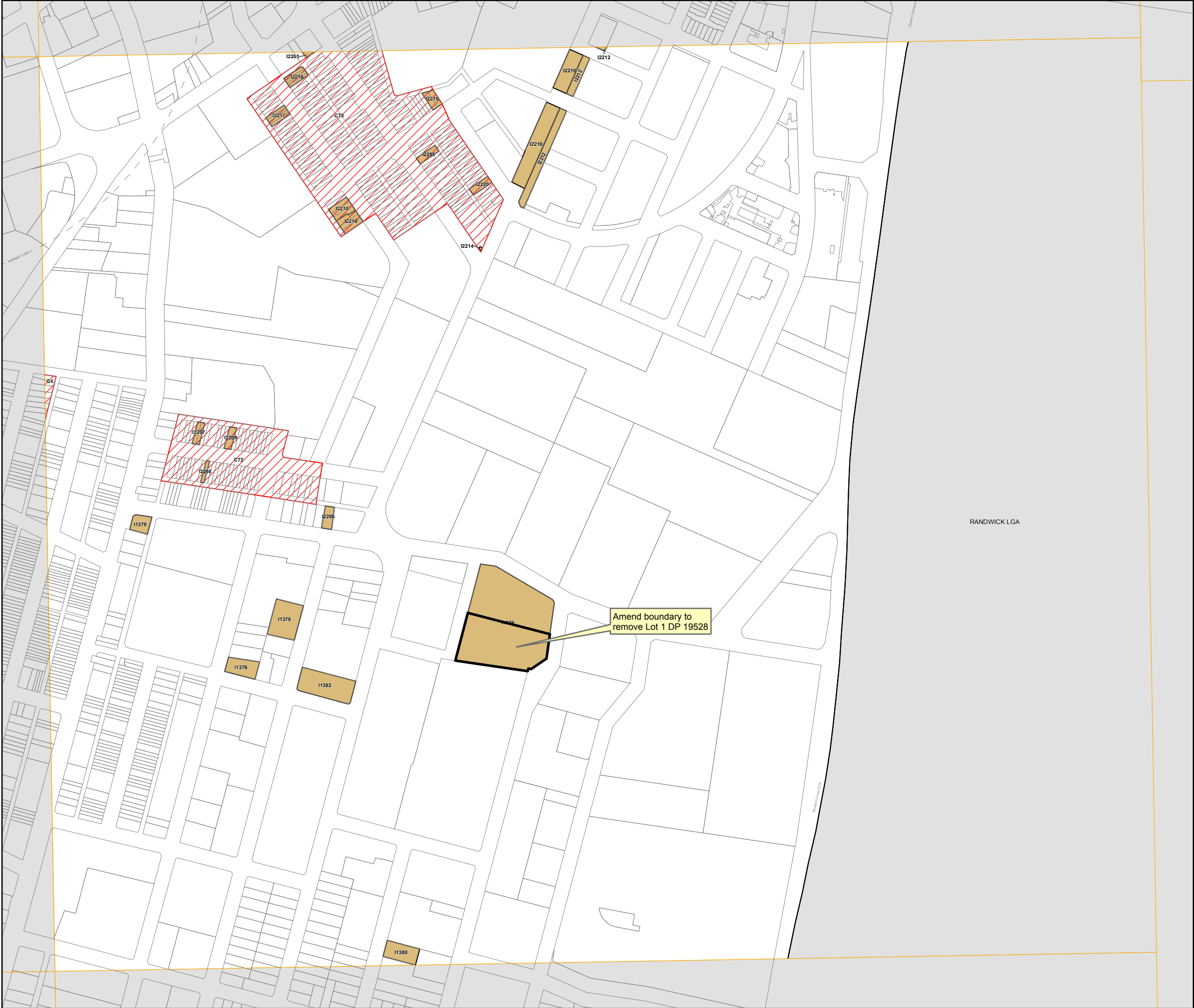
Map 5: Heritage Map – Sheet HER_018



Sydney Local Environmental Plan 2012

Heritage Map - Sheet HER_018

- Heritage**
- Conservation Area - General
 - Item - General
 - Change
- Cadastre**
- Cadastre 08/04/2012 © City of Sydney



Part 5: Community Consultation

Exact details of the required community consultation will be set out in the Gateway Determination. However, it is expected that the planning proposal will be exhibited for a period of not less than 28 days in accordance with section 5.5.2 of *A guide to preparing local environmental plans*.

Notification of the public exhibition is proposed to be:

- on the City of Sydney website; and
- in the Sydney Morning Herald and a relevant local newspaper.

Exhibition material is proposed to be on display at the following customer service centres:

- CBD
Level 2, Town Hall House
456 Kent Street
Sydney NSW 2000
- Kings Cross
50 - 52 Darlinghurst Rd
Kings Cross NSW 2011
- Redfern
158 Redfern Street
Redfern NSW 2016
- Green Square
100 Joynton Avenue
Zetland NSW 2017

Part 6: Project Timeline

The following project timeline will assist with tracking the progress of the planning proposal through its various stages of consultation and approval. It is estimated that this amendment to *Sydney Local Environmental Plan 2012* will be completed by December 2013.

	20/5/13	27/5/13	3/6/13	10/6/13	17/6/13	24/6/13	1/7/13	8/7/13 - 29/7/13	5/8/13 - 7/10/13	14/10/13 - 21/10/13	4/11/13	End 2013
Stage 1: Submit to Department of Planning and Infrastructure												
Gateway Panel consider planning proposal												
Stage 2: Receive Gateway Determination												
Stage 3: Prepare documentation for public exhibition												
Stage 4: Public exhibition of the planning proposal												
Stage 5: Review submissions received during public exhibition												
Stage 6: Prepare report to Council and Central Sydney Planning Committee (CSPC)												
Stage 7: Council and CSPC meetings												
Stage 8: Forward endorsed planning proposal to Department of Planning and Infrastructure with request that the amendment is made												
Stage 9: Amendment to <i>Sydney Local Environmental Plan 2012</i> legally drafted and made												