

Various sites in Pyrmont

Proposal Title : **Various sites in Pyrmont**

Proposal Summary : **The planning proposal seeks to amend Sydney Local Environmental Plan (LEP) 2012 to rezone 6 sites from B4 Mixed Use to R1 General Residential and rezone 3 sites from B4 Mixed Use to RE1 Public Recreation in Pyrmont.**

PP Number : **PP_2016_SYDNE_002_00**

Dop File No : **16/04079**

Proposal Details

Date Planning : **21-Mar-2016**

LGA covered : **Sydney**

Proposal Received :

Region : **Metro(CBD)**

RPA : **Council of the City of Sydney**

State Electorate : **SYDNEY**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **11 Bowman Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Lot 93 DP 1182885**

Street : **1A Distillery Drive**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Lot 92 DP 1182887**

Street : **1 Distillery Drive**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Lots 1-43 SP 86684; Lot 91 DP 270215**

Street : **3 Distillery Drive**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Lot 90 DP 1186529**

Street : **15 Bowman Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Part Lot 86 DP 270215; Lots 1-100 SP 86806**

Street : **25 Bowman Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Part Lots 1-132 SP 84689; Lot 83 DP 270215**

Street : **35 Bowman Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Part Lot 63 DP 270215, Lots 1-29 SP 76418**

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Street : **5 Tambua Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Part Lot 81 DP 270215; Lots 1-107 SP 82306**

Street : **66 Bowman Street**

Suburb : **Pyrmont**

City : **Sydney**

Postcode : **2009**

Land Parcel : **Part Lot 26 DP 270215; Lots 1-150 SP 65564**

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Ben Pechey**

Contact Number : **0292659333**

Contact Email : **bpechey@cityofsydney.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy :

Consistent with Strategy :

MDP Number :

Date of Release :

Area of Release (Ha)
:

Type of Release (eg
Residential /
Employment land) :

No. of Lots : **0**

No. of Dwellings **0**
(where relevant) :

Gross Floor Area : **0**

No of Jobs Created : **0**

The NSW Government **Yes**

Lobbyists Code of
Conduct has been
complied with :

If No, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney East Region has not met any lobbyists in relation to this proposal, nor has the A/Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

Have there been **No**
meetings or
communications with
registered lobbyists? :

If Yes, comment :

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Supporting notes

Internal Supporting

Notes :

The planning controls for the Pymont sites are in the Sydney Local Environmental Plan 2012 (LEP) and came into effect in December 2012.

When Council and the Central Sydney Planning Committee (CSPC) adopted the Sydney LEP 2012 in March 2012, they resolved to prepare a planning proposal to rezone a number of sites in Pymont from B4 Mixed Use to R1 General Residential in response to community submissions made during the public exhibition of the draft LEP in 2011. This was to ensure the zoning reflected the existing uses which have developed.

REZONE FROM MIXED USE TO GENERAL RESIDENTIAL

Historically, Pymont was zoned Residential and Residential-Business under the Sydney Regional Environmental Plan 26 (SREP 26) and Sydney Local Environmental Plan 2005 (LEP 2005). These zones formed part of the overall vision for the area for a sustainable mixed use precinct. The current mixed use zoning in Sydney LEP 2012 is a translation of the previous zones.

Despite the mixed use intent for the area under SREP 26, Pymont has been almost wholly developed as residential strata buildings. The mixed use zone no longer reflects the current land uses.

REZONE FROM MIXED USE TO PUBLIC RECREATION

11 Bowman Street, 1A Distillery Drive and 3 Distillery Drive, Pymont are located at the western end of Bowman Street and Distillery Drive. The sites are parks owned by the Department of Planning and Environment and located within a predominantly residential area.

The two parks were intended to be zoned for public recreation. However, the parks were zoned B4 because they had not been subdivided from the development sites. These sites have now been subdivided and this proposal intends to rezone the parks to RE1 Public Recreation to secure existing open space. These parks are an important part of the local open space network which contributes to the amenity of the Pymont area.

Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.

External Supporting

Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : The objective of the proposal is to ensure the zoning is consistent with the existing land uses and secures public open space.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : The proposal seeks to amend the zoning map for the following sites as described below:

(1) 1 Distillery Drive, 15 Bowman Street, 25 Bowman Street, 35 Bowman Street, 5 Tambua Street and 66 Bowman Street.

- Amend the land use zoning map to change the zone from B4 Mixed Use to R1

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General Residential.

(2) 11 Bowman Street, 1A Distillery Drive and 3 Distillery Drive.

- Amend the land use zoning map to change the zone from B4 Mixed Use to RE1 Public Recreation.

(3) Road Reservation along Distillery Drive adjoining sites 1 Distillery Drive, 15 Bowman Street, 25 Bowman Street and 5 Tambua Street.

- Amend the land use zoning map to change the zone from B4 Mixed Use to R1 General Residential.

(4) Road Reservation along Bowman Street adjoining sites 2 Bowman Street, 4 Bowman Street and 6 - 50 Bowman Street.

- Amend the land use zoning map to change the zone from B4 Mixed Use to RE1 Public Recreation.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006 :

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs) and Regional Environmental Plans (REPs).

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Direction 1.1 Business and Industrial Zones

The proposal is inconsistent with this Direction as it changes the zoning on the identified sites from mixed use to residential or public recreation.

Direction 7.1 Implementation of A Plan for Growing Sydney

The proposal represents a minor inconsistency with this Direction as it seeks to rezone mixed uses land in close proximity to the Pyrmont-Ultimo commercial core. However, the priorities for the Pyrmont-Ultimo precinct will not be undermined because there are no changes proposed to the commercial core.

Council considers the proposed zoning changes in this proposal to be of minor significance because the sites have been developed as strata residential or public open space and are highly unlikely to be redeveloped for business uses in the medium term.

It is recommended that the Secretary approve the inconsistencies with s117 Direction 1.1 and 7.1 on the basis that they are minor inconsistencies and are justifiably inconsistent.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The mapping provided is considered adequate for the purposes of public exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Public consultation will be undertaken in accordance with the Gateway determination. Council suggests an exhibition period of 14 days, which is considered acceptable.

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PROJECT TIMELINE

Council has provided an indicative project timeline with a completion date of October 2016. The Department considers a 9 month project timeline for completion is adequate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation to Principal LEP : **The Sydney LEP was gazetted in December 2012.**

Assessment Criteria

Need for planning proposal :

A planning proposal is the best means of achieving the objective of reflecting the land uses which have developed.

Consistency with strategic planning framework :

A Plan for Growing Sydney sets out the key priorities for the Central Subregion, including the retention of a commercial core in Pyrmont for long-term employment growth and supporting the land use requirements of the creative digital technology knowledge hub in Pyrmont-Ultimo.

The proposal is inconsistent with the objectives of the Central Subregion because the proposed new residential and public recreation zones will not protect the land uses for future employment growth. However, employment uses are highly unlikely to be developed as the sites have been recently developed as strata residential. The Jacksons Landing precinct is almost wholly residential and there is unlikely to be sufficient market demand from employment uses to unwind the existing residential strata schemes. Therefore, the objectives for metropolitan and subregional planning cannot be achieved on these sites.

During the research and preparation of this proposal it was found that four sites (2-8 Point Street, 45 Bowman Street, 3 Harris Street and 2 - 8 Mount Street Walk) previously proposed to be rezoned residential do contain commercial uses. Council's consideration of these sites concluded they should retain their B4 zoning as non-residential uses currently exist on the sites. By retaining the B4 zoning these sites will continue to support the commercial core for long term employment growth and provide the necessary flexibility for future uses.

The proposal is consistent with several objectives of Council's Sustainable Sydney 2030 community plan.

Environmental social economic impacts :

The proposal will not adversely affect any critical habitat or threatened species, populations or ecological communities, or their habitats.

The proposed amendments will not result in environmental impacts that cannot be addressed through the development assessment process.

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The proposal has the potential to result in social benefits including securing existing public land for open space purposes.

The proposal will not result in negative economic effects from changing the zoning. It is unlikely that employment uses will be able to take advantage of the mixed use zone on the subject sites due to market demand for residential use and the constraints of strata.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d)

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **There is no change to infrastructure needs because the sites have already being developed. The sites are located 2km from Sydney CBD and are well serviced by public transport.**

Documents

Document File Name	DocumentType Name	Is Public
CouncilLetter.pdf	Proposal Covering Letter	Yes
Planning Proposal - Rezoning of sites in Pyrmont.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

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1. The planning proposal be publicly exhibited for a period of not less than 14 days.

2. Council is not required to consult with State agencies.

3. A public hearing is not required.

4. The planning proposal is to be finalised within 9 months from the date of the gateway determination.

Supporting Reasons :

The proposal seeks to implement changes requested by public submissions to reflect the current land uses and secure public recreation space in a densely population precinct.

Signature:



Printed Name:

Sandy Chappel

Date:

7.4.16

