PLANNING PROPOSAL TO AMEND MARRICKVILLE LOCAL ENVIRONMENTAL PLAN 2011 (MLEP 2011) 85 MARGARET STREET, PETERSHAM

JANUARY 2016

Introduction

This planning proposal seeks Gateway approval to amend Marrickville Local Environmental Plan 2011 (MLEP 2011) to amend the planning controls relating to the property known as 85 Margaret Street, Petersham.

At its meeting on 5 April 2016 Council considered a report which recommended that Council resolve to prepare a draft Planning Proposal to make a number of amendments to Marrickville Local Environmental Plan 2011. The proposed amendments were referred to as Draft Marrickville Local Environmental Plan 2011 (Amendment No. 4).

Some of those amendments recommended related to a request, on behalf of Petersham TAFE to prepare a planning proposal to rezone the land referred to as 85 Margaret Street, Petersham.

An extract from the report considered by Council in relation to the matter is reproduced below (individual maps which show the current planning controls applying to the subject land and the proposed planning controls are incorporated into the extract):

85 Margaret Street, Petersham

A request to prepare a planning proposal to rezone the land referred to as 85 Margaret Street, Petersham, was submitted to Council on 29 February 2016.

The land forms part of the site (Lot 1 DP749931) known as 25 Crystal Street, Petersham, owned by the Minister for Education containing Petersham TAFE. The land referred to as 85 Margaret Street, Petersham, contains a single storey dwelling house. The dwelling house is not used in association with the TAFE. Determination No. 201400132 dated 6 June 2014 approved an application to carry out internal renovations and external repairs and use the building known as 85 Margaret Street as a dwelling.

A photograph of the premises referred to as 85 Margaret Street, Petersham, is provided below:



Image 1: The Site referred to as 85 Margaret Street, Petersham

The request seeks an amendment to MLEP 2011 to rezone the land from SP2 Educational Establishments to R2 Low Density Residential. The reason given for the requested amendment was to "allow the TAFE College to sell, exchange or otherwise dispose of or deal with 85 Margaret Street as a standalone entity".

It is proposed to subdivide the TAFE college land into 2 lots to excise the land referred to as 85 Margaret Street from the remainder of the TAFE college land. A development application is to be submitted for the proposed subdivision. The rezoning request includes a subdivision plan. The proposed lot for the land referred to as 85 Margaret Street has an area of approximately 298sqm and a width of approximately 7.5 metres. The proposed lot is in keeping with the subdivision pattern of other residential properties along this section of Margaret Street.

An extract from the rezoning request identifying the site referred to as 85 Margaret Street, Petersham, with a thick red line and showing the zoning of land under MLEP 2011 in the locality, is reproduced below:



land in the locality under MLEP 2011

No FSR or HOB controls apply to the subject land under MLEP 2011. The request also seeks amendments to MLEP 2011 to introduce a maximum building height of 9.5 metres and a maximum floor space ratio of 0.6:1 for the subject land.

All the residentially zoned properties in the immediate area are zoned R2 Low Density Residential under MLEP 2011. Those properties have a floor space ratio control of 0.6:1 with land identified with a thick red line and labelled F on Floor Space Ratio Map and a maximum 9.5 metre (J (9.5m)) height control applies to the land under MLEP 2011. The requested FSR and HOB controls for the property 85 Margaret Street, Petersham, are considered appropriate.

The planning proposal is consistent with applicable State Environmental Planning Policies and Section 117 Directions.

It is recommended that the rezoning request be incorporated into the planning proposal submitted to the Department for gateway determination.

MLEP 2011: Land Zoning Maps

Recommendation L-LZN_003 (15):

That the zoning on Land Zoning Map (LZN_003) for the property 85 Margaret Street, Petersham, be amended to R2 Low Density Residential.

Current Land Zoning Map:



Proposed Land Zoning Map:



MLEP 2011: Floor Space Ratio Maps

Recommendation L-FSR_003 (19):

That a label of **F** (0.6:1) be added to the property 85 Margaret Street, Petersham, and the land identified with a thick red line and labelled **F** on Floor Space Ratio Map (FSR_003).

Current Floor Space Ratio Map:



Proposed Floor Space Ratio Map:



MLEP 2011: Height of Buildings Maps

Recommendation L-HOB_003 (16):

That a maximum 9.5 metre (J (9.5m)) height control be placed on the property known as 85 Margaret Street, Petersham, on Height of Buildings Map (HOB_003).

Current Height of Buildings Map:



Proposed Height of Buildings Map:



Letter from Petersham TAFE

Planning consultants on behalf of Petersham TAFE, by email dated 8 December 2016, have requested that their Planning Proposal request to rezone the Petersham TAFE site at No 85 Margaret Street, Petersham, be excised from the planning proposal known as Marrickville Local Environmental Plan 2011 (Amendment No. 4) and progressed as a separate stand alone Planning Proposal.

Council officers discussed the request with officers from the Department who raised no objection in principle to the matter being progressed as a separate stand alone planning proposal.

PART 1: OBJECTIVE OR INTENDED OUTCOME

The objectives of the Planning Proposal are:

- To amend Marrickville Local Environmental Plan 2011 to rezone the land known as 85 Margaret Street, Petersham, from SP2 Educational Establishment to R2 Low Density Residential with appropriate floor space ratio and height of building development standards; and
- ii. "To enable the zoning of the site to reflect its present use as a detached dwelling house consistent with surrounding residential land."

PART 2: EXPLANATION OF THE PROVISIONS

The Planning Proposal seeks to rezone the land known as 85 Margaret Street, Petersham, to R2 Low Density Residential. The subject land is currently part of the Petersham TAFE site. The subject land contains a dwelling house. The subject land was previously on its own lot

before it was amalgamated into the Petersham TAFE site.

The proposed rezoning would reflect the present use of the land as a detached dwelling house. The proposed rezoning is consistent with the zoning of residential land in the immediate area and the proposed floor space ratio and height of building controls are consistent with the controls that apply to residentially zoned land in the immediate area.

PART 3: JUSTIFICATION

Section A – Need for the planning proposal

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

The applicant advised that "The planning proposal is a result of a strategic intention of Petersham TAFE College to allow the site to be rezoned to reflect its use".

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

The applicant advised that "The rezoning of the site is the best means for achieving a zoning that reflects the current use of the site as a residential dwelling house."

3. Is there a net community benefit?

The net community benefits from the planning proposal are summarised as follows:

• <u>85 Margaret Street, Petersham</u>

A request was submitted, on behalf of Petersham TAFE, to prepare a planning proposal to rezone the land referred to as 85 Margaret Street, Petersham. The land referred to as 85 Margaret Street, Petersham, contains a single storey dwelling house. The dwelling house is not used in association with the TAFE.

The request seeks an amendment to MLEP 2011 to rezone the land from SP2 Educational Establishments to R2 Low Density Residential. The reason given for the requested amendment was to "allow the TAFE College to sell, exchange or otherwise dispose of or deal with 85 Margaret Street as a standalone entity."

The planning proposal includes the rezoning of that land, as requested, with appropriate floor space ratio and height of building development standards.

Section B – Relationship to strategic planning framework

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

The planning proposal is consistent with the objectives and actions contained within the applicable regional or sub-regional strategy including the Sydney Metropolitan Strategy.

The Greater Sydney Commission's Draft Central District Plan includes actions for educational establishments such as "Action L16: Support planning for school facilities". Those actions relate specifically to schools and not to tertiary institutions such as a TAFE establishment.

The Draft Plan states that "In accordance with Action 3.1 of A Plan for Growing Sydney, making the District a great place to live requires the provision of the infrastructure and services that people need, from birth to the end of life" (page 118). Whilst not specifically including tertiary institutions in the range of services listed, the Draft Plan states "The

delivery of these services is the responsibility of many agencies and organisations that need to consider existing and future demand."

The subject land has been deemed, by Petersham TAFE, to be surplus to their existing and future needs and as such the planning proposal is considered to be consistent with the objectives and actions contained within the Greater Sydney Commission's Draft Central District Plan.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The *Marrickville Community Strategic Plan (Our Place, Our Vision)* was adopted in 2010 to define the long term aspirations and strategic directions for the community. That document, the result of an extensive community engagement process, established four 'key result areas' that summarise the objectives and strategies for the Marrickville community over the next decade. The plan was reviewed and updated in 2012/2013. The Plan's 4 key result areas are as follows:

- A diverse community that is socially just, educated, safe and healthy;
- A creative and cultural Marrickville;
- A vibrant economy and well planned, sustainable urban environment and infrastructure; and
- An innovative, effective, consultative and representative Council.

The planning proposal is consistent with Marrickville Council's Strategic Plan, Marrickville Community Strategic Plan (Our Place, Our Vision) which defines the long term aspirations and strategic directions for the community.

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

The planning proposal has been assessed against all relevant State Environmental Planning Policies (SEPPs) as detailed below. Based on that assessment, Council has concluded that overall, the planning proposal is consistent with all relevant SEPPs as follows:

• <u>SEPP No. 1 – Development Standards</u>

This SEPP makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary. No matters within this planning proposal relate to amendments to development standards. Notwithstanding the above, by virtue of Clause 1.9(2) of MLEP 2011, SEPP No. 1 does not apply to land to which MLEP 2011 applies.

• <u>SEPP No. 19 - Bushland in Urban Areas</u>

This SEPP aims to protect and preserve bushland within certain urban areas as part of the natural heritage or for recreational, educational and scientific purposes. It is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared. No matters within this Planning Proposal alter the degree to which urban bushland will be protected under MLEP 2011. The Planning Proposal is consistent with this SEPP.

SEPP No. 21 - Caravan Parks

This SEPP ensures that where caravan parks or camping grounds are permitted

under an environmental planning instrument, movable dwellings, as defined in the Local Government Act 1993, are also permitted. The specific kinds of movable dwellings allowed under the Local Government Act in caravan parks and camping grounds are subject to the provisions of the Caravan Parks Regulation. The policy ensures that development consent is required for new caravan parks and camping grounds and for additional long-term sites in existing caravan parks. It also enables, with the council's consent, long-term sites in caravan parks to be subdivided by leases of up to 20 years. This planning proposal does not include any provisions relating to caravan parks. The Planning Proposal is consistent with the SEPP.

• <u>SEPP No. 30 - Intensive Agriculture</u>

This SEPP requires development consent for cattle feedlots having a capacity of 50 or more cattle or piggeries having a capacity of 200 or more pigs. The policy sets out information and public notification requirements to ensure there are effective planning control over this export-driven rural industry. The policy does not alter if, and where, such development is permitted, or the functions of the consent authority. The Planning Proposal is consistent with this SEPP.

SEPP No. 33 - Hazardous and Offensive Development

This SEPP amends the definitions of hazardous and offensive industries and includes provisions relating to such developments. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of the proposal. The consent authority must carefully consider the specifics the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are potentially hazardous or potentially offensive as defined in the policy. The definitions contained within the SEPP were incorporated into the Standard Instrument and the Dictionary to MLEP 2011 includes those definitions. The planning proposal does not relate to any of those uses and is therefore consistent with the objectives of the SEPP.

<u>SEPP No. 50 - Canal Estate Development</u>

This SEPP aims to prohibit canal estate development in order to ensure that the environment is not adversely affected by the creation of new developments of that kind. The planning proposal, and the Council resolution, do not propose any changes in the instrument relating to provisions for canal estate developments. The Planning Proposal is consistent with this SEPP.

• <u>SEPP No. 55 - Remediation of Land</u>

This SEPP introduced a State wide planning approach to the remediation of contaminated land across NSW. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must be undertaken before the land is developed. The planning proposal does not include any provisions relating to the remediation of land as the property is currently used as a dwelling house. The Planning Proposal is consistent with this SEPP.

• <u>SEPP No. 62 - Sustainable Aquaculture</u>

This SEPP encourages the sustainable expansion of the aquaculture industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are

potential environmental risks. The Planning Proposal is consistent with this SEPP.

• <u>SEPP No. 64 - Advertising and Signage</u>

This SEPP aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. None of the matters in this Planning Proposal raise issues in relation to this SEPP. The Planning Proposal is consistent with this SEPP.

• <u>SEPP No. 65 - Design Quality of Residential Apartment Development</u>

This SEPP aims to improve the quality of design of residential apartment development across the NSW through the application of design principles. It provides for the establishment of Design Review Panels to provide independent expert advice to councils on the merit of residential apartment development and involvement of a qualified designer throughout the design, approval and construction stages. The Planning Proposal is consistent with this SEPP.

• <u>SEPP (Housing for Seniors or People with a Disability) 2004</u>

This SEPP encourages the development of quality accommodation for the ageing population and for people who have disabilities, in keeping with the local neighbourhood. The Planning Proposal does not include any provisions that would, directly or indirectly, affect housing for seniors or people with a disability, nor would it affect any provision within the SEPP. The Planning Proposal is consistent with this SEPP.

SEPP (Building Sustainability Index: BASIX) 2004

This SEPP operates in conjunction with EP&A Amendment (Building Sustainability Index: BASIX) Regulation 2004 to implement consistent building sustainability provisions across NSW. The Planning Proposal does not include any provisions that would, directly or indirectly, affect BASIX or any provision that relates to building sustainability. The Planning Proposal is consistent with this SEPP.

SEPP (State Significant Precincts) 2005

This SEPP aims to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State, and to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

The Planning Proposal does not include any provisions that would, directly or indirectly, affect any provision within the SEPP. The Planning Proposal is consistent with this SEPP.

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

This Policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The Policy establishes appropriate planning controls to encourage ecologically sustainable development. The Planning Proposal is consistent with this SEPP.

• <u>SEPP (Temporary Structures) 2007</u>

This SEPP provides for the erection of temporary structures and the use of places of public entertainment while protecting public safety and local amenity. None of the matters in this Planning Proposal raise issues in relation to the SEPP. The Planning Proposal is consistent with this SEPP.

• <u>SEPP (Infrastructure) 2007</u>

This SEPP provides a consistent planning regime for infrastructure and the provision of services across NSW. It is intended to provide greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

The planning proposal responds to a rezoning request on behalf of Petersham TAFE, to rezone the land referred to as 85 Margaret Street, Petersham.

Practice Note PN10-001 *Zoning for infrastructure in LEPs* provides guidance for councils on zoning public infrastructure land. Of relevance to this planning proposal are Principles 2, 3 and 5 in the Practice Note.

Principle 2:

The planning proposal seeks to rezone part of the TAFE site (the land known as 85 Margaret Street, Petersham) to R2 Low Density Residential, the same zone that applies to land adjacent to the site to the east.

Principle 3:

The site is less than 20 hectares in area, it does not provide a range of facilities that can also be used by the surrounding community and is not of regional significance. As such the TAFE site is not considered a "strategic site".

Principle 5:

The current use of the site as a dwelling house is not associated with Petersham TAFE. The proponent advised that "*The planning proposal is a result of a strategic intention of Petersham TAFE College to allow the site to be rezoned to reflect its use*". The subject land is surplus to Petersham TAFE's needs.

The subject land is not subject to a site compatibility certificate. The planning proposal seeks to rezone the land as a compatible land use.

In light of the above, the Planning Proposal is consistent with this SEPP.

SEPP (Exempt and Complying Development Codes) 2008

This SEPP simplifies assessment processes for development that complies with specified development standards. It identifies types of minor development that may be carried out without development consent, or carried out in accordance with a complying development certificate. The Planning Proposal is consistent with this SEPP.

• SEPP (Affordable Rental Housing) 2009

This SEPP establishes a consistent planning regime for the provision of affordable rental housing. The planning proposal is consistent with this SEPP.

• <u>SEPP (State and Regional Development) 2011</u>

The aims of this Policy are to identify development that is State significant development or State significant infrastructure and critical State significant infrastructure and to confer functions on joint regional planning panels to

determine development applications. None of the matters in the Planning Proposal raise issues in relation to this SEPP. The Planning Proposal is consistent with this SEPP.

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

An assessment of the planning proposal against all relevant s.117 Directions is provided below. From that assessment, Council has concluded that the planning proposal is consistent with all applicable Ministerial Section 117 Directions.

2 Environmental and Heritage

Direction 2.3: Heritage Conservation

This Direction applies when a relevant planning authority prepares a planning proposal and states that the planning proposal must, inter alia, contain provisions that facilitate the conservation of items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.

Part of the Petersham TAFE site is identified as a heritage item under MLEP 2011 (Heritage Item I185 Petersham TAFE, including interiors). The property description in Schedule 5 of MLEP 2011 is Lot 1, DP 749931. That property description relates to the entire site (including the land known as 85 Margaret Street, Petersham) but the heritage item identified on the Heritage Map (HER_003) identifies the heritage item on the southern half of the property. The heritage item identified on the map does not include land along the Margaret Street frontage of the property, including the land the subject of the proposed rezoning known as 85 Margaret Street.

A development application was lodged seeking approval to subdivide the TAFE land (Lot 1 DP 749931) into two lots to excise the land the subject of the rezoning request from the remainder of the property. (The plan submitted with that application identify the proposed lot relating to the land known as 85 Margaret Street, Petersham, as **Lot 100**) The subdivision application was approved by Modified Determination No. 201600163 dated 5 October 2016. The approved plan of subdivision creating a separate lot for the property known as 85 Margaret Street, Petersham, is yet to be registered. Upon the registration of the plan of subdivision the property description of the heritage item in MLEP 2011 should be amended to relate to the new property description for the item.

3 Housing, Infrastructure and Urban Development

• Direction 3.1: Residential Zones

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within either an existing or proposed residential zone (including the alteration of any existing residential zone boundary) or any other zone in which significant residential development is permitted or proposed to be permitted.

Direction 3.1 is relevant to the planning proposal as the proposal seeks to rezone land for residential purposes. The proposed rezoning of that part of the TAFE land referred to as 85 Margaret Street, Petersham, would not result in significant residential development being permitted on that land. It should be noted that the subject land contains a dwelling house and that the land was

previously zoned for residential purposes before being acquired for educational purposes.

In light of the above, Council considers the planning proposal to be consistent with this Direction.

• Direction 3.4: Integrating Land Use and Transport

The objectives of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:

- (a) improving access to housing, jobs and services by walking, cycling and public transport, and
- (b) increasing the choice of available transport and reducing dependence on cars, and
- (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
- (d) supporting the efficient and viable operation of public transport services, and
- (e) providing for the efficient movement of freight."

This direction applies to a planning proposal that *will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.*

The planning proposal includes an amendment that *will create, alter or remove a zone or a provision relating to urban land.*

The amendment relating to the rezoning of land known as 85 Margaret Street, Petersham, is in response from a request on behalf of Petersham TAFE. The subject land contains a single storey dwelling house. The proposed rezoning of the land reflects the current development on the land.

It is considered that the planning proposal is consistent with the aims and objectives of this Direction.

Direction 3.5: Development Near Licensed Aerodromes

The objectives of this direction are: (a) to ensure the effective and safe operation of aerodromes; (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. This direction applies to a planning proposal that will create, alter or remove a zone or a provision relating to land in the vicinity of a licensed aerodrome.

The property is located within the 25-30 Australian Noise Exposure Forecast (2033) Contour and consequently the proposed amendment is technically inconsistent with the subject Section 117 Direction.

Notwithstanding the above the proposed new zoning is the same as that applies to the other residential properties fronting Margaret Street in the immediate area, the subject land was previously zoned for residential purposes and the property currently contains a dwelling house. The proposed rezoning would not result in the creation of a new dwelling or an increase in the number of people affected by aircraft noise.

In view of the circumstances, the non compliance with the Direction is considered acceptable.

4 Hazard and Risk

• Direction 4.1: Acid Sulfate Soils

This direction applies to all relevant planning authorities that are responsible for land having a probability of containing acid sulfate soils, as shown on Acid Sulfate Soils Planning Maps held by the Department of Planning.

The subject land is not identified on the Acid Sulfate Soils Map.

The planning proposal is consistent with this Direction.

• Direction 4.3: Flood Prone Land

This Direction applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.

The subject land is not identified as flood liable land. The planning proposal is consistent with this Direction.

6 Local Plan Making

• Direction 6.1: Approval & Referral Requirements

This Direction applies when a relevant planning authority prepares a planning proposal and states, inter alia, that the planning proposal must minimise the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, and not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of the appropriate Minister or public authority, and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

The planning proposal is consistent with this Direction.

• <u>Direction 6.3:</u> <u>Site Specific Provisions</u>

This direction applies to the planning proposal. The objective of the direction is to discourage unnecessarily restrictive site specific planning controls. The Direction requires a planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:

- (a) allow that land use to be carried out in the zone the land is situated on; or
- (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any additional development standards or requirements; or
- (c) allow that land use on the relevant land without imposing any additional development standards or requirements.

The planning proposal includes site specific provisions for the property known as 85 Margaret Street, Petersham, owned by Petersham TAFE, which contains a single storey dwelling house from SP2 Educational

Establishments to R2 Low Density Residential. The proposed floor space ratio and height site specific planning controls for the property are consistent with the controls that relate to the R2 Low Density Residential zoned land in the immediate area.

The site specific components of the planning proposal are consistent with the subject Direction.

7 Metropolitan Planning

• Direction 7.1: Implementation of A Plan for Growing Sydney

This Direction applies to the planning proposal. A Plan for Growing Sydney "provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space".

In view of the nature of the planning proposal the directions and actions contained within *A Plan for Growing Sydney* are not particularly relevant to the planning proposal.

Direction 1.10 – "*Plan for education and health services to meet Sydney's growing needs*" of the Plan includes the following action:

"Action 1.10.2: Support the growth of complementary health and tertiary education activities in strategic locations"

The land is not located within one of the "significant metropolitan health and education precincts" identified under the Plan. As stated previously the current use of the site as a dwelling house is not associated with Petersham TAFE. The proponent advised that "The planning proposal is a result of a strategic intention of Petersham TAFE College to allow the site to be rezoned to reflect its use". The subject land is surplus to Petersham TAFE's needs. The land is relatively small, having an area of less than 300sqm, and is considered of insufficient size to enable the institution "to grow and attract complementary activity".

In light of the above, the planning proposal is considered to be consistent with the NSW Government's 'A Plan for Growing Sydney', and as such Council considers the planning proposal to be consistent with this Direction.

Section C – Environmental, social and economic impact

8. 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?

All significant issues in relation to critical habitat or threatened species, populations or ecological communities, or their habitats were taken into account in the making of MLEP 2011. The planning proposal does not include any proposed amendments to those controls. Consequently it is considered little likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, would be adversely affected as a result of the proposal.

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

There are unlikely to be environmental effects, either individually or cumulatively, as a result of the planning proposal.

10. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal would result in the zoning of the subject land reflecting its present use as a detached dwelling house consistent with surrounding residential land. As such the proposed rezoning would not cause any social or economic impacts.

Section D – State and Commonwealth Interests

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

The planning proposal seeks to rezone the land known as 85 Margaret Street, Petersham, to R2 Low Density Residential. The subject land was previously zoned for residential purposes and the property currently contains a dwelling house. The proposed rezoning would not result in the creation of a new dwelling. Consequently it is considered that there is adequate public infrastructure for the planning proposal.

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

As this planning proposal has not yet proceeded to Gateway determination, the views of State and Commonwealth public authorities have not been sought, nor is this required at this stage. In accordance with the Gateway determination process, the Department of Planning and Environment will inform Council which State and Commonwealth authorities are to be formally consulted during the public exhibition period.

PART 4: MAPPING

The maps related to this planning proposal are included in this submission. The individual maps show the current planning controls applying to the subject land and the proposed planning controls. The individual maps are referenced by the recommendation number contained within the report considered by Council (e.g. Recommendation L-LZN_003 (15) etc).

PART 5: COMMUNITY CONSULTATION

The former Marrickville Council considered that the planning proposal would have a low impact overall. The planning proposal would not create the need for any additional infrastructure servicing.

The planning proposal would be publicly exhibited in accordance with the requirements of any Gateway determination issued.

PART 6: PROJECT TIMELINE

Following are estimated dates (month/year) for completion of key tasks in the planning proposal process:

- anticipated commencement date (date of Gateway determination) January 2017;
- anticipated timeframe for the completion of required technical information January 2017;
- timeframe for government agency consultation (pre and post exhibition as required by Gateway determination) to be determined after Gateway determination;
- commencement and completion dates for public exhibition period January/February 2017;

- dates for public hearing (if required) N/A at this stage;
- timeframe for consideration of submissions February 2017;
- timeframe for the consideration of a proposal post exhibition March 2017;
- date of submission to the Department to finalise the LEP April 2017; and
- anticipated date RPA will forward to the Department for notification April 2017.



A REQUEST TO MARRICKVILLE COUNCIL TO PREPARE A PLANNING PROPOSAL

FOR LAND REZONING

No 85 Margaret Street, Petersham

Prepared for

TAFE NSW – Sydney Institute

By BBC Consulting Planners

> Job No. 15-269 Final February 2016

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1. INTRODUCTION

This request to Marrickville Council for the preparation of a Planning Proposal contains an explanation of the intended effect and justification for a proposed amendment to the Marrickville Local Environmental Plan 2011 ("Marrickville LEP"). The Planning Proposal would be prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A guide to preparing planning proposals' ("the Guidelines").

The request to prepare a Planning Proposal seeks an amendment to the Marrickville LEP to rezone the following site from its existing zoning being SP2 (Educational Establishments) to R2 (Low Density Residential):-

• Lot 100 in the proposed plan of subdivision of Lot 1 in DP749931 being 85 Margaret Street Petersham.

The above property is herein referred to as "the site". The site to which this Planning Proposal relates is shown in **Appendix 1**.



2. SITE AND SURROUNDING CONTEXT

2.1 Site Characteristics

The land to which this planning proposal relates is known as No 85 Margaret Street, Petersham ("herein referred to as "the site"). The location of the site is shown on **Figure 1**.

The site is located on the south side of Margaret Street. Aerial photographs provided at **Figures 3A** and **3B** illustrate features of the site relative to its surrounding context.

As existing, the site is located within the north-eastern portion of the Petersham TAFE College (Crystal Street Campus). The College is a secondary-education facility that comprises various buildings, classrooms, education facilities, and other ancillary amenities.

2.2 Real Property Description and Ownership

The land to which this request relates is Lot 100 in the proposed plan of subdivision of Lot 1 in DP749931, being 85 Margaret Street as shown in **Appendix 1**.

This Planning Proposal request has been submitted concurrent with a development application lodged to Marrickville Council for the land subdivision of Lot 1 in Deposited Plan 749931 to create the site.

Lot 1 in Deposited Plan 749931 is owned by the Minister for Education.

2.3 Site Improvements, Area and Frontages

The site contains a single-storey detached residential dwelling house set within a broadly rectangular-shaped allotment. The front portion of the site contains the dwelling house and the rear portion contains a hardstanding concrete area and a garage structure.

The use of the site as a dwelling is not associated with Petersham TAFE. Consent to DA No 201400132 approved on 6 June 2014 granted consent for alterations and additions including internal renovations and external repairs and use of the building as a dwelling house.

The site has a total area of 298.1 square metres. It has a primary north-facing street frontage of 8.2 metres to Margaret Street, an east-facing side boundary of 38.1 metres to No 83 Margaret Street, a west-facing side boundary of 41.7 metres and south-facing rear boundary of 7.5 metres.

2.4 Parking and Site Access

Pedestrian and vehicular access to the site is provided directly off Margaret Street. Car parking is provided on site.

The site benefits from close proximity to public transport links. The nearby bus stops along Parramatta Road provide frequent bus services to the surrounding suburbs, including Glebe, Ashfield and Leichhardt, and to the Sydney CBD and beyond. Furthermore, the site is within comfortable walking distance (approximately 10 minutes) to the Petersham Train Station.

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2.5 Vegetation and Landscape Character

The small garden to the street-facing frontage contains a single tree. That aside, the site contains no other vegetation coverage or landscaping features.

2.6 Topography

The gradient of the site is relatively flat, albeit there is a gentle slope toward Margaret Street.

2.7 Site Services

The site is served by existing infrastructures services and connections that are available to the dwelling house including water, electricity, gas, stormwater, and telecommunications.

2.8 Contamination

The only known use of the site is as a residential dwelling house. There is no evidence that it might be contaminated or associated with any activities that may generate contamination.

2.9 Heritage

As indicated on the Marrickville Local Environmental Plan 2011, the two storey brick building located on the south portion of the Petersham TAFE College (including interiors) is identified as a heritage item of local significance (Heritage ID: 1185). A physical description of the heritage item is provided by the NSW Office of Environment and Heritage as follows:-

"This is a two storey red brick building with moulded brick detailing to the door and window openings and a tiled roof. The two entries to Crystal Street have semicircular arches, as does one of the windows. The other windows have segmental arches and feature coloured panes of glass to their upper half. The building has triple gables with rough cast render and vertical timber boarding."

Notwithstanding, the site to which this Planning Proposal request relates is separated from the listed building by a car parking area and other buildings associated with the Petersham TAFE College.

2.10 Surrounding Context

The site is set within an established residential area to the north of Petersham and Stanmore.

Beyond the site, the immediate surrounding area is distinctly suburban, characterised by low density housing in the form of one- and two- storey detached and semi-detached dwellings. The Planning Proposal has no impact on the surrounding context.

The site is accessible in a local and regional context given its proximity to Parramatta Road. It has pedestrian connectivity to local shops, amenities and services.



3. PLANNING CONTROLS

This sections details existing development standards and provisions in the Marrickville Local Environmental Plan 2011 ("Marrickville LEP") which are applicable to No 85 Margaret Street.

3.1 Land Zoning

The site is currently zoned SP2 Infrastructure (Educational Establishments) pursuant to the Marrickville LEP. This zoning is reflective of the site's association with the TAFE College.

The below annotated extract from the Marrickville LEP Land Zoning MAP identifies the location of the site (in red) within the most easterly portion of the SP2 Zone.



The objectives of the SP2 Zone are:-

- "To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To protect and provide for land used for community purposes."

Development permitted without consent in the SP2 Zone is:-

"Home occupations"

Development permitted with consent in the SP2 Zone is:-

"Roads; The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose"



Development prohibited in the SP2 Zone is:-

"Any development not specified in item 2 or 3"

As identified on the LEP Land Zoning Map, the site lies immediately adjacent to land zoned R2 (Low Density Residential). The R2 Zone extends throughout the Marrickville Local Government Area and generally encompasses the majority of surrounding residential land.

The site to which this Planning Proposal request relates (No 85 Margaret Street) is not used as an educational establishment and is not required for this purpose.

3.2 Floor Space Ratio

Pursuant to LEP Clause 4.4, the site is not currently subject to a maximum Floor Space Ratio (FSR).

3.3 Maximum Building Height

Pursuant to LEP Clause 4.3, the site is not currently subject to a maximum building height.

3.4 Lot Size

Pursuant to LEP Clause 4.1, the site is not currently subject to a minimum lot size.

3.5 Heritage

The site is located within close proximity to a heritage item. The following provisions of LEP Clause 5.10 ('Heritage Conservation') apply to the site:-

"The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned."

3.6 Other Development Standards and LEP Provisions

There are no other development standards or provisions in the Marrickville LEP that affect the site relating to acid sulfate soils, earthworks, additional or miscellaneous permissible uses, preservation of trees or vegetation, flood planning, key sites, terrestrial biodiversity, foreshore building, or airspace operations.



4. PREPARATION OF THE PLANNING PROPOSAL

Section 55(2) of the Environmental Planning and Assessment Act 1979 ("the EP&A Act") states that a Planning Proposal must address the following components:-

- **Part 1** A statement of the objectives and intended outcomes of the proposed instrument;
- **Part 2** An explanation of the provisions that are to be included in the proposed instrument;
- **Part 3** The justification for those objectives, outcomes and the process for their implementation;
- **Part 4** Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies; and
- **Part 5** Details of the community consultation that is to be undertaken on the planning proposal.

Part 55(3) of the EP&A Act allows the Director-General to issue specific requirements to be considered in the preparation of a planning proposal. These requirements include:

- Specific matters that must be addressed in the justification (**Part 3**) of the planning proposal; and
- A project timeline to detail the anticipated timeframe for the plan making process for each planning proposal (the timeline forms **Part 6** of a planning proposal).

The following section demonstrates that the subject Planning Proposal can been prepared in accordance with the above components and with the '*Guide to preparing planning proposals*' issued by the NSW Department of Planning & Infrastructure.

4.1 Part 1 – Objectives of the Proposed Local Environmental Plan

The objective of the subject Planning Proposal is to change the zoning of the site from its existing zoning being SP2 (Educational Establishments) to R2 (Low Density Residential) under the Marrickville Local Environmental Plan 2011.

The site was previously on its own lot (Lot 1 in DP984047) prior to it being amalgamated into Lot 1 in Deposited Plan 749931 (being the existing title of the Petersham TAFE).

The objective of the proposed amendment to the Marrickville LEP is to enable the zoning of the site to reflect its present use as a detached dwelling house consistent with surrounding residential land.

4.2 Part 2 – Explanation of Provisions

The purpose of the Planning Proposal is to achieve the objectives described in **Part 1** by means of amending the Marrickville Local Environmental Plan 2011.

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Accordingly, the Planning Proposal seeks the following amendments to the Marrickville LEP:-

- Amend the Marrickville LEP 2011 Land Zoning Map to rezone the site (from SP2 (Educational Establishments) to R2 (Low Density Residential);
- Amend the Marrickville LEP 2011 Height of Building Map to introduce a maximum building height of 9.5 metres on the site; and
- Amend the Marrickville LEP 2011 Floor Space Ratio Map to introduce a maximum floor space ratio of 0.6:1 on the site (and include the site within land to which LEP Clause 4.4 'Floor space ratio' applies).

4.3 Part 3 – Justification

This section sets out the reasons for the proposed outcomes and development standards in the Planning Proposal.

The following questions are set out in the Department of Planning's 'A Guide to Preparing Planning Proposals' and address the need for the Planning Proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

4.3.1 Section A – Need for the Planning Proposal

The proposed amendments to the Marrickville LEP will allow the TAFE College to sell, exchange or otherwise dispose of or deal with No 85 Margaret Street as a standalone entity.

Q1. Is the planning proposal a result of any strategic study or report?

Yes. The planning proposal is a result of a strategic intention of Petersham TAFE College to allow the site to be zoned to reflect it use.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The rezoning of the site is the best means of achieving a zoning that reflects the current use of the site as residential dwelling house.

4.3.2 Section B – Relationship to Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Yes. The Planning Proposal is not inconsistent with the objectives of 'A Plan for Growing Sydney' being the regional metropolitan strategy for Sydney. There are no other exhibited draft strategies that apply to the site or the proposed outcomes for the Planning Proposal.

Q4. Is the planning proposal consistent with the local council's Community Strategic Plan or other local strategic plan?



Yes. The Planning Proposal is consistent with the Marrickville Community Strategic Plan which includes reference to implementing planning objectives for increasing the supply of housing. Specifically, Key Result Area 1 seeks to increase housing supply and pursue planning controls that support existing and new supplies of affordable housing. The purpose of the Planning Proposal to rezone land to a residential zoning consummerate with its current use will support key objectives of the Marrickville Community Strategic Plan.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

	State Environmental Planning Policy	Consistent
SEPP 32	Urban Consolidation (Redevelopment of Urban Land)	✓
SEPP 55	Remediation of Land	✓
SEPP 65	Design Quality of Residential Flat Development	✓
SEPP	(Housing for Seniors or People with a Disability) 2004	✓
SEPP	(Exempt and Complying Development Codes) 2008	✓
SEPP	(Building Sustainability Index: BASIX) 2004	✓
SEPP	(Infrastructure) 2007	✓
SEPP	(Affordable Rental Housing) 2009	✓

The following State Environmental Planning Policies are applicable to the Planning Proposal:

The Planning Proposal's compliance and consistency with the above SEPPs would be determined during the assessment of any development application on the subject site.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies the proposal's consistency with the relevant Ministerial Directions.

S.117	Direction Title	Consistency of Planning Proposal								
1.	Employment and Resources	Consistent.								
2.	Environment and Heritage	Consistent the site does not contain a heritage item.								
3. Devel	Housing, Infrastructure and Urban opment									
3.1	Residential Zones	Consistent - the proposal contributes								
Objec	tives	to broadening the choice of housing.								
(1)	The objectives of this direction are:									

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(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,)	typ	ng t	siną	in	ng	g	ty	/p	e	5																																	
(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and	1	ctur ha	truct ng l	stri sing	str	ru ng	uc g	ctı h	ure as	9	a a	n pj	d pr	ę	se	er	/ic	e	s	5	а	In	d	e	ər	າຣ	u	е			າອ	at	r	iev	V									
(c) to minimise the impact of residential development on the environment and resource lands.			opm	elop	lo	эр																																						
Where this direction applies	С	nis (e thi	ere	re	e t	th	nis	c	lir	e	cti	io	n	а	р	oli	e	s																	1								
(2) This direction applies to all relevant planning authorities.																n		a	p	p	lie	es	5		tc)	6	all			re	ele	€v	an	t									
When this direction applies	li	s d	this	en t	n 1	tł	hi	s	di	re	c	tic	or	1 8	ap	p	lie	es	5																	I								
(3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within:	ι	a	ing	nin	nir	ng	g	â	au	tł	10	rit	ty		р	re	ра	ar																										
(a) an existing or proposed residential zone (including the alteration of any existing residential zone boundary),	h	g tł	ding	udi	Jd	dir	ng	g	th	e	a	alt	-	-			•			•																								
(b) any other zone in which significant residential development is permitted or proposed to be permitted.	ł	aÍ c	entia	den		n	ntia	aĺ	d	e١																					-													
What a relevant planning authority must do if this direction applies													p	ola	an	n	in	g	ć	a	ut	h	or	it	y	n	nu	IS [.]	t	d	0	it	ft	this	5									
(4) A planning proposal must include provisions that encourage the provision of housing that will:																																		วทร	5									
(a) broaden the choice of building types and locations available in the housing market, and					io																						-			•			â	ano	k									
(b) make more efficient use of existing infrastructure and services, and					str																			U	IS	e		C	of		e	xi	ist	ting)									
(c) reduce the consumption of land for housing and associated urban development on the urban fringe, and		ocia	asso			ISS	ss	00	sia																																			
(d) be of good design.	1	e o	be			I	b	е	of	ç	10	00	d	d	e	się	gn																											
(5) A planning proposal must, in relation to land to which this direction applies:					nic																	us	st	, i	n	r	ela	at	ic	or	n t	to	la	ano	k									
(a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and		ner ely oun	opm uatel e cou	elop qua	lua e	op Ial	on ate cc	ne ely ou	en / : no	t se cil	i erv	is vie Ol	Ce r	r ec	nc 1 th	ot (c ei	or r	po a ap	e ir	ri ra	m ar ro	itt ng	e e	d m	e	ι n	ini ts	S	88	l ati	la ist	no fa	d .ct	is ory	5									
(b) not contain provisions which will reduce the permissible residential density of land.					nis																								re	ec	lu	C	e	the	Э									



Consistency	
(6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are:	
(a) justified by a strategy which:	
(i) gives consideration to the objective of this direction, and	
(ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and	
(iii) is approved by the Director-General of the Department of Planning, or	
(b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or	
(c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or	
(d) of minor significance.	
4. Hazard and Risk	Consistent - there are no known risks or hazards.
 6.2 Reserving Land for Public Purposes Objectives (1) The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and 	Consistent – the Planning Proposal alters the existing zoning of land for public purposes and has the approval of TAFE NSW. This can be confirmed during the gateway process.
(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	
Where this direction applies	
(2) This direction applies to all relevant planning authorities.	
When this direction applies	
(3) This direction applies when a relevant planning authority prepares a planning proposal.	
What a relevant planning authority must do if this direction applies	
(4) A planning proposal must not create, alter or reduce existing zonings or reservations of land	



for public purposes without the approval of the relevant public authority and the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General).

(5) When a Minister or public authority requests a relevant planning authority to reserve land for a public purpose in a planning proposal and the land would be required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991, the relevant planning authority must:

(a) reserve the land in accordance with the request, and

(b) include the land in a zone appropriate to its intended future use or a zone advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), and

(c) identify the relevant acquiring authority for the land.

(6) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal relating to the use of any land reserved for a public purpose before that land is acquired, the relevant planning authority must:

(a) include the requested provisions, or

(b) take such other action as advised by the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) with respect to the use of the land before it is acquired.

(7) When a Minister or public authority requests a relevant planning authority to include provisions in a planning proposal to rezone and/or remove a reservation of any land that is reserved for public purposes because the land is no longer designated by that public authority for acquisition, the relevant planning authority must rezone and/or remove the relevant reservation in accordance with the request.

Consistency

(8) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:

(c) with respect to a request referred to in paragraph (7), that further information is required before appropriate planning controls for the land

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can be determined, or	
(d) the provisions of the planning proposal that are inconsistent with the terms of this direction are of minor significance.	
Note: Clause 12 of the EP&A Reg 2000 provides that a planning proposal for a proposed local environmental plan:	
(a) may not contain a provision reserving land for a purpose referred to in section 26 (1) (c) of the EP&A Act, and	
(b) may not contain a provision in respect of that reservation as required by section 27 of the EP&A Act,	
unless the public authority responsible for the acquisition of the land has notified the relevant planning authority of its concurrence to the inclusion of such a provision in the planning proposal.	
In this direction:	
"public authority" has the same meaning as section 4 of the EP&A Act.	
the use or reservation of land for a public purpose has the same meaning as in section 26(1)(c) of the EP&A Act.	
7. Metropolitan Planning	Consistent.

Should the Planning Proposal be supported at the Gateway Determination, further detail on consistency with Ministerial Directions can be provided following consultation with the relevant public and private authorities.

4.3.3 Section C – Environmental, Social and Economic Impact

Q7. 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?

No. The Planning Proposal to reclassify the land will not affect or remove the application of overlays in the LEP that relate to biodiversity, riparian land or ecological preservation.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. The Planning Proposal is for a change of zoning to reflect the current use of the site. It will not result in any additional environmental impacts.



Q9. Has the planning proposal adequately addressed any social and economic effects?

Yes. The rezoning of the site will have social benefits for the community in that it will enable the TAFE College to sell, exchange, or otherwise dispose of the property which will create opportunities for residential redevelopment of the site.

4.3.4 Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The land to which the Planning Proposal relates is adequately served by public infrastructure in that it is located within close proximity to established public transport connections, including bus routes along Parramatta Road and Petersham and Stanmore trains stations.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning. Consultation with Government authorities, agencies and other stakeholders in regard to this Planning Proposal would be undertaken by Marrickville Council.

4.4 Part 4 – Mapping

Relevant mapping would be prepared by Marrickville Council.

4.5 Part 5 – Community Consultation

Community consultation on the Planning Proposal will be undertaken by Marrickville Council (subject to receiving a determination to proceed at the gateway) in accordance with the publication "*A Guide to Preparing Local Environmental Plans*", published by the Department of Planning. The community consultation will not be commenced prior to obtaining approval from the Minister or Director-General. The notification and consultation process will be initiated after the s.55 submission has been sent to the Department of Planning and Infrastructure.

Council's consultation methodology will include, but not be limited to:-

- forwarding a copy of the Planning Proposal, the gateway determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination;
- undertaking consultation if required in accordance with requirements of a Ministerial Direction under section 117 of the EP&A Act and/or consultation that is required because, in the opinion of the Minister (or delegate), a State or Commonwealth public authority will be or may be adversely affected by the proposed amendment to the LEP;
- giving notice of the public exhibition in the main local newspaper;



- exhibiting the Planning Proposal in accordance with the gateway determination. It is assumed this would require an exhibition period of at least 28 days duration;
- exhibiting the Planning Proposal pursuant to s.57 and all supporting documentation at Council's Administration Centre and on Council's website;
- notifying of the Planning Proposal's exhibition on Marrickville Council's website, including providing copies of the Planning Proposal, all supporting studies and additional information and the gateway determination;
- notifying affected landowners and adjoining land owners where relevant; and
- any other consultation methods deemed appropriate for the proposal.

4.6 Part 7 – Project Timetable

It is anticipated that the Planning Proposal will be processed expeditiously by Council.

FIGURES







PLANNING PROPOSAL 85 Margaret Street, Petersham

> FIGURE 3A Aerial Photo - Detail

Prepared For - TAFE College

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PLANNING PROPOSAL 85 Margaret Street, Petersham

> FIGURE 3B Aerial Photo - Wider Area

> > Prepared For - TAFE College





PLANNING PROPOSAL 85 Margaret Street, Petersham

FIGURE 4 Zoning Map - Marrickville LEP 2011

Prepared For - TAFE College







