

Planning Services

Plan Finalisation Report

Local Government Area: Inner West Council

PP Number: PP_2015_MARRI_004_00

1. NAME OF DRAFT LEP

Marrickville Local Environmental Plan 2011 Amendment No.14 (draft LEP).

2. SUBJECT LAND DESCRIPTION

The Victoria Road Precinct (the precinct) is approximately 18 hectares of strategically located industrial land in Marrickville, 5km south-west of the Sydney Central Business District.

The precinct forms half of "Precinct 47" (36 hectares of industrial land as identified in the Marrickville Development Control Plan 2011). The southern corner of the precinct is in the Sydenham to Bankstown Urban Renewal Corridor. It is also 2km from the north-south runway of Sydney Airport and directly under the flight path.

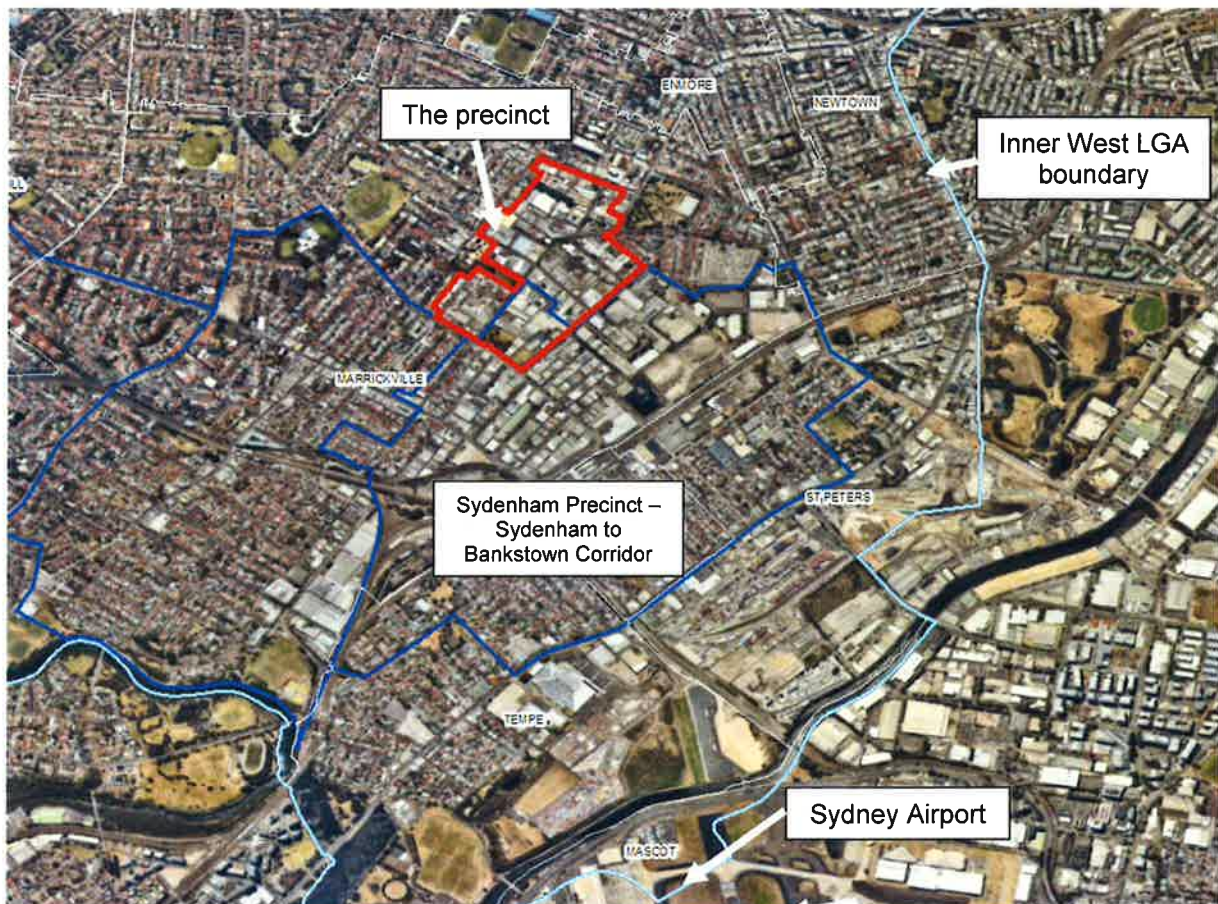


Figure 1: The precinct and surrounding area

3. PURPOSE OF PLAN

In November 2015, the Department of Planning and Environment received a planning proposal for the precinct, which aims to transform an industrial area to a mixed-use creative hub (**Attachment B**).

The proposal seeks to amend Marrickville Local Environmental Plan 2011 to:

- rezone part of the precinct from part IN1 General Industrial and B7 Business Park to part B5 Business Development and R3 Medium Density Development,
- rezone part of the precinct from IN2 Light Industrial to part B4 Mixed Use, R4 High Density Residential and B5 Business Development;
- apply maximum building height controls between 15m to 48m. The only height control that currently applies is 14m at the corner of Addison Road and Enmore Road;
- apply maximum floor space ratio (FSR) controls of between 1:1 and 3.5:1. A maximum FSR of 0.95:1 currently applies to most of the precinct; and
- introduce a key sites map to facilitate the provision of affordable housing (3 per cent of residential floor space) and application of site-specific aircraft noise reduction controls.

4. STATE AND FEDERAL ELECTORATES AND MEMBERS

The precinct is in the state electorate of Summer Hill. The Hon Jo Haylen MP is the State Member.

The precinct is in the federal electorate of Grayndler. The Hon Anthony Albanese MP is the Federal Member.

To the regional planning team's knowledge, neither MP has made any written representations regarding the proposal.

NSW Government Lobbyist Code of Conduct:

The Department has had two meetings where registered lobbyist Ms Kerry Chikarovski was present. Ms Chikarovski identified herself as a registered lobbyist at each meeting

On 8 February 2016, the Department met with representatives from the Victoria Road project team and Sydney Airport Corporation Limited (SACL) to discuss proposed building heights and other issues raised by SACL, who agreed to review the heights with Air Services Australia and recommend an appropriate height for the area.

On 4 July 2017, the Department met with the proponent regarding the finalisation of the proposal. Ms Chikarovski sought time frames for the finalisation of the proposal. The Department noted that as Council had not submitted the planning proposal for finalisation, a time frame was not possible.

NSW Government reportable political donation: There are no donations or gifts to disclose and a political donation disclosure is not required.

5. GATEWAY DETERMINATION

The Gateway determination issued on 14 March 2016 (**Attachment C**) determined that the proposal should proceed subject to conditions. These conditions required:

- a review of high-density residential zoning around Wicks Park, as proposed residential uses would not provide an appropriate transition to the industrial land to the south;

- amendment to the maximum building height to ensure safe Sydney Airport operations and a better transition to the surrounding area;
- further justification for inconsistencies with relevant section 117 Directions;
- a draft development control plan (DCP) to be developed in consultation with Council and Sydney Airport Corporation Limited; and
- a heritage study to be undertaken.

In accordance with the Gateway determination, on 14 July 2016 an updated planning proposal was provided to the Department for review and endorsement (**Attachment B**).

On 6 September 2016, the Department determined that the Gateway conditions had been sufficiently satisfied and the proposal should proceed to community consultation (**Attachment E**).

6. PUBLIC CONSULTATION

In accordance with the Gateway determination, community consultation was undertaken from 23 September 2016 until 23 November 2016.

Council received 549 submissions, with almost 59 per cent supporting the proposal without amendment and a further 8 per cent supporting the proposal with amendments. 32 per cent did not support the proposal and one percent of submissions were not related to the proposal.

Positive responses noted that the proposal will:

- increase housing options;
- increase local business opportunities; and
- improve traffic and parking, local amenities and open space provision in the area.

The overwhelming number of positive submissions is noted.

Objecting submissions concerns included the:

- proposed height, scale and density of the proposal;
- the need for more affordable housing;
- loss of precinct character; and
- negative impacts on employment in and around the precinct.

Council prepared a report on key issues raised in submissions (**Attachment F**).

In response to the objections, the Department considers the proposed height and density that can be achieved under the exhibited controls is appropriate as detailed in the **Attachment D**, the Department assessed and determined that the revised planning proposal adequately addressed conditions of the Gateway determination and justifies the planning outcomes for the site.

Further post-exhibition changes to the planning proposal have been made to improve the built form outcome at the interface with the surrounding area. The changes reduce height at the edges of the R4 zoning and near Farr Street and on the northern side of Sydenham Road.

To provide affordable housing as part of the planning proposal, an amendment to State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes) (SEPP 70) would be required. SEPP 70 is further discussed in more detail in 8.1 below. To address affordable housing, Council can enter into a voluntary planning agreement.

The DCP for the Precinct, when revised to address the matters in the LEP, will address the desired future character to help its transition into a vibrant mixed use

location. Key urban design outcomes are matters best addressed through the development application assessment.

The planning proposal has the potential to provide an additional 6,000 jobs in the Precinct, up from 1,116 currently, which will have a positive impact on employment in the precinct.

7. ADVICE FROM PUBLIC AUTHORITIES

As part of the Gateway determination, consultation was required with:

- Transport for NSW;
- Roads and Maritime Services;
- Marrickville Council;
- Sydney Airport Corporation Limited;
- Department of Infrastructure and Regional Development (Commonwealth);
- Department of Education and Training;
- Energy Australia;
- Telstra; and
- Sydney Water.

Council has consulted these authorities. Written responses were received from four of these authorities (**Attachment G**). The key issues raised and how they have been addressed by the proponent have been summarised (**Attachment H**).

There are unresolved objections from two public authorities, Transport for NSW (TfNSW) and Roads and Maritime Services (RMS).

7.1 Transport for NSW and Roads and Maritime Services

TfNSW and RMS requested that a detailed traffic and transport assessment be prepared before finalisation of the plan to address the cumulative impact of the development on the surrounding local and regional road network, including current and future public transport services. This assessment was to include an analysis for the three intersections in and near the precinct:

- Sydenham Road/Farr Street;
- Addison Road/Enmore Road; and
- Victoria Road/Edinburgh Road.

RMS concluded that the strategic concept plan provided by the proponent during exhibition for a likely future upgrade of the Sydenham Road and Victoria Road intersection cannot be implemented given Council does not support acquisition of part of Wicks Park and properties outside the planning proposal area to facilitate the safe operation of the intersection.

In response, the proponent submitted further documentation (**Attachment I**) which:

- conducted further traffic modelling of the existing Sydenham Road/ Victoria Road intersection;
- updated design options for the Sydenham Road/ Victoria Road intersection excluding Wicks Park;
- conducted traffic modelling based on the upgraded intersection design; and
- conducted a desktop review to examine how the Sydenham Road/Farr Street intersection operates under current conditions and its likely operation under the proposed rezoning.

The proponent concluded that:

- upgrades to the Sydenham Road and Victoria Road intersection are only required once the precinct reaches approximately 20 per cent of its full development scenario;
- the development of the entire residential component of the precinct represents just 7% of the overall traffic generation;
- the proposed upgrades to this intersection are likely to be delivered ahead of the upgrade being necessary as they would be provided as part of the development of proposed residential sites at the southern end of the precinct;
- a design solution for the upgrade of the Victoria Road/Sydenham Road intersection can be achieved to maintain the functionality of the intersection and respond to existing land constraints, avoiding the use of Wicks Park; and
- the planning proposal will result in a reduction in the number of peak vehicle trips generated by uses fronting Farr Street given the proposed change in use from industrial/ commercial to residential.

RMS considered the revised Sydenham Road/Victoria Road intersection design and concluded that the proposed reductions in lane and footpath widths would potentially impact road network efficiency and pedestrian safety. RMS and TfNSW note that, prior to finalisation of the plan, the proposal should address funding responsibilities and associated funding mechanisms for the delivery of transport infrastructure upgrades.



Figure 2: Location of the Sydenham Road and Victoria Road intersection

In response to these concerns, an SP2 zone is proposed to apply to the north-west corner of Sydenham Road and Victoria Road to provide for an upgraded intersection. The reservation applies to private land in the Precinct and does not affect Wicks Park, or private land to the south of Sydenham Road. The draft LEP includes a

satisfactory arrangements clause requiring the delivery of state public infrastructure before any consent is issued for development.

The satisfactory arrangements clause is intended to allow the proponent, the RMS and Council to establish a preferred intersection design the Sydenham Road/Victoria Road intersection before granting consent to future development. The Department notes that the optimal intersection design for traffic and pedestrian safety may involve some public land, such as Wicks Park to provide appropriate lane widths and footpaths.

Further traffic analysis is not considered to be necessary, primarily because the planning proposal will be implemented over a 10-15-year time frame. Demands on the road system will therefore be gradual and will coincide with growth and change in the surrounding area.

The Department recommends that the draft LEP proceeds with outstanding objections as the matters identified by TfNSW and RMS can be dealt with when DAs are prepared for the site. The proponent has already provided two designs, for the Sydenham Road/Victoria Road intersection but requires further guidance from the RMS and cooperation from the Council to reach a satisfactory outcome. This is not considered a reason to delay the rezoning of the Precinct.

8. POST-EXHIBITION CHANGES

8.1 Council changes

On 27 June 2017, Council resolved to support the planning proposal subject to several conditions (**Attachment J**). These conditions require the resolution of issues relating to the:

- loss of industrial land on the south-eastern side of Victoria Road;
- proposed land-use mix for the precinct, including rezoning industrial land (Danias Timbers Site) for high-density housing;
- future upgrade of the Sydenham Road and Victoria Road intersection and the cumulative impact of the development on the surrounding road network;
- planning, funding and delivery of community infrastructure;
- increased affordable housing;
- retention of existing open space and provision of adequate additional open space;
- urban design and built form of the planning proposal;
- provision of laneways and road connections to service the rezoning; and
- preservation of items in the precinct with potential heritage significance.

Further explanation of the above issues and an assessment of Council's resolution is provided at (**Attachment K**).

The Department does not support Council's changes as they raise issues previously addressed by the proponent as conditions of the Gateway determination or are matters that will be addressed by provisions in the draft LEP. It is considered that the proposed amendments to the planning proposal will deliver appropriate outcomes for the site and that the design considerations can be addressed at the development application stage.

Specifically, post-exhibition changes to amend proposed zonings and specify design outcomes have not been supported as the Department considered the zoning and scale of the proposal and supporting studies. The planning proposal will result in an appropriate development outcome. No new information has been submitted by the Council to change this position.

Changes relating to the retention and provision of adequate open space, delivery of new laneways and connections and the preservation of identified potential heritage items in the precinct have not been supported. The draft LEP includes a clause which requires these matters to be addressed in the preparation of a precinct-wide DCP.

The provision of local infrastructure to support the planning proposal will need to be delivered through voluntary planning agreements (VPAs) or in accordance with a Section 94 plan for the precinct which Council is yet to prepare. The proponent states that they offered to commence discussions on VPA with Council when the planning proposal was submitted, but Council did not take this offer up. Council advises it has tried and failed to commence VPA negotiations during the public exhibition. There is an opportunity for future negotiations to occur during the DA process.

The draft LEP does not include provisions for affordable housing as Council is not part of State Environmental Planning Policy No. 70 - Affordable Housing (Revised Schemes) (SEPP 70). Council has requested to be included in SEPP 70 as part of a separate process, which would allow affordable housing contributions to be levied.

The Department supports the provision of affordable housing in the precinct and until Council's request to be included in SEPP 70 is processed, the provision of affordable housing in the residential component of the precinct can be negotiated via VPAs in line with Council's Affordable Housing Policy for the precinct.

8.2 Department changes

The Department recommends several post-exhibition changes to the proposal to address matters raised during community consultation and to address Council and public agency concerns. The Department has summarised the post-exhibition changes and associated maps (**Attachment L**).

Changes relating to the height of buildings map aim to achieve a greater transition in height between residential built forms within and adjoining the precinct addressing amenity concerns from nearby residents and businesses.

Changes to the zoning map address inconsistencies with the alignment of height, FSR and zoning maps on the western side of Victoria Road. This change addresses Council's concern that the intended height and FSR standards for residential could not be applied to part of properties fronting Victoria Road. This change does not increase development potential in the Precinct.

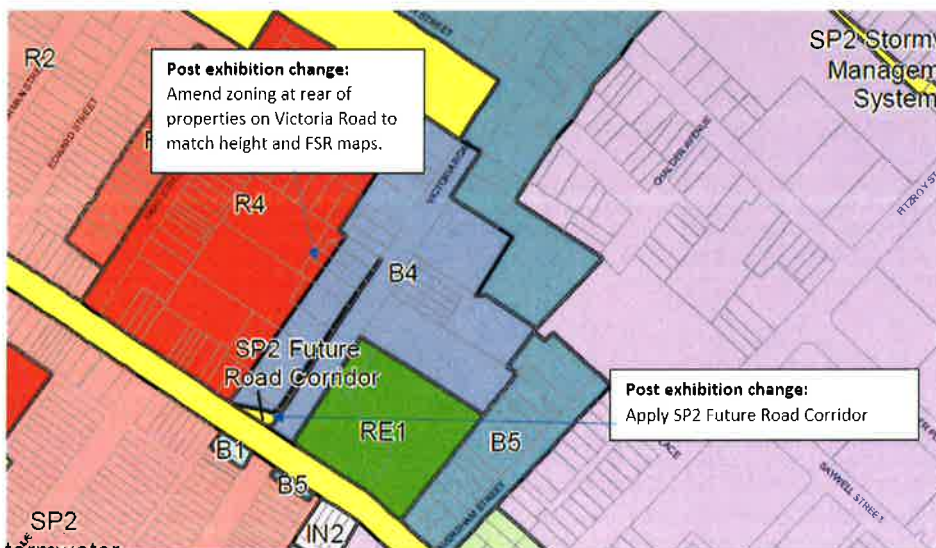


Figure 3: Post-exhibition zoning changes

The Department proposes to amend the Key Sites Map which was exhibited with the planning proposal to cover the entire precinct. The map is proposed to be linked to two local clauses under Part 6 of Marrickville Local Environmental Plan 2011 (MLEP 2011), one which requires a DCP to be prepared for the precinct prior to consent being granted and one which requires satisfactory arrangements for State infrastructure to be in place prior to consent being granted.

The draft DCP addresses development issues for the precinct that are not covered in the current Marrickville Development Control Plan 2011. The draft DCP provides detailed requirements for access and movement, public open space, stormwater management, built form, design, aircraft noise control, community facilities and heritage, but will need to be updated having regard to the matters required by the draft LEP.

The aircraft noise controls in the DCP will be supported by clause 6.5 of MLEP 2011, *Development in areas subject to aircraft noise*, which requires appropriate noise attenuation measures in buildings in an Australian Noise Exposure Forecast (ANEF) contour of 20 or greater.

To address the outstanding objection from RMS, the Department proposes a State infrastructure clause requiring satisfactory arrangements to be in place for the provision of state infrastructure, and that a staging and delivery plan has been prepared before consent is granted. This clause is supported by the application of an SP2 Future Road Corridor zone over land on the north-west corner of the Sydenham Road and Victoria Road intersection.

9. ASSESSMENT

The planning proposal is supported as it:

- will facilitate up to 1,100 dwellings in a well-serviced location that is near public transport;
- provide capacity for an additional 6,000 jobs 5km from the Sydney CBD;
- will revitalise the precinct by allowing for a more diverse range of emerging uses such as cleaner, more modern light industrial uses and creative industries;
- is generally consistent with all relevant state environmental planning policies and section 117 Directions;
- provides for job and housing opportunities; and
- provides more floor space for existing land uses.

9.1 Section 117 Directions

Direction 1.1 Business and Industrial Zones

Under this Direction, a planning proposal must retain the areas and locations of existing business and industrial zones and not reduce the total potential floor space for employment uses in business zones and industrial uses in industrial zones.

The proposal is consistent with this Direction as it will provide for significant uplift in potential employment floor space in the precinct with light industrial uses still permissible in proposed new business zones. The employment strategy submitted with the planning proposal supports this rezoning by suggesting a shift away from traditional industrial uses in the precinct towards new and more creative uses.

The proposal is partially inconsistent with this Direction as the proposed residential and mixed-use zones in the south-west corner of the precinct will result in a net loss of industrial and business land in this area. Only 12 per cent of the Precinct will be

zoned for residential uses, with 88 percent being used for employment or business uses.

The Department considers this inconsistency to be justified as most of the land within the precinct will retain its existing industrial zoning or be rezoned for employment purposes and the opportunity for 6,000 additional jobs.

Direction 3.5 Development Near Licensed Aerodromes

Under this Direction, a planning proposal must ensure the safe and effective operation of aerodromes, that aerodrome operations are not jeopardised by hazards or obstacles and that residential development near aerodromes is safe for human occupation.

This Direction does not permit residential development in ANEF 25 contour or higher and public buildings in ANEF 30 contour or higher. The proposal is inconsistent with this Direction as it proposes residential and public buildings in areas greater than 25 ANEF and 30 ANEF respectively.

An inconsistency with the ANEF requirements may be justified where it is demonstrated that the Australian Standards for internal noise (AS2021-2015) can be satisfied.

The Department considers this inconsistency to be justified as the proposal is supported by an aircraft noise strategy and a design document demonstrating that internal noise standards can be met. In addition, Marrickville LEP 2011 includes clause 6.5 *Development in areas subject to aircraft noise* will apply to future development of land in an ANEF contour of 20 or greater.

This Direction also requires planning proposals for land near licensed aerodromes to consult with relevant federal agencies and consider whether the Obstacle Limitation Surface (OLS) applies and where it applies. The Department is satisfied that, in consultation with Sydney Airport Corporation Limited, the proposal has established appropriate building heights for the height sensitive land under the OLS. The proposal is considered consistent with this component of Direction 3.5.

Direction 6.2 Reserving Land for Public Purposes

Under this Direction, a planning proposal must not create, alter or reduce existing zonings or reservations of land without the approval of the relevant public authority and the Secretary of the Department or her delegate.

The draft LEP includes a small rezoning of the north-west corner of the Sydenham Road and Victoria Road intersection to SP2 Future Road Corridor. The reservation responds to an outstanding objection from TfNSW and RMS regarding the delivery, timing and design of upgrading the intersection to cope with the traffic associated with future development of the precinct.

The Department considers the inconsistency with the Direction to be justified as it provides the most flexibility to deliver an upgraded intersection using private land in the precinct. This will be delivered as part of the satisfactory arrangement provisions at no or minimal cost to government.

The Department notes that an optimal intersection design may involve using part of Wicks Park to ensure the intersection alignment is safe and operates efficiently with sufficient lane widths to accommodate buses and heavy vehicle movements, and to ensure pedestrian safety is maintained or improved. It is considered that the intersection design can be refined at the development application stage.

The draft LEP rezones the north-west corner of the Sydenham Road and Victoria Road intersection to SP2 Future Road Corridor. The reservation responds to an outstanding objection from TfNSW and RMS regarding the delivery, timing and design of upgrading the intersection to cope with the traffic associated with future development of the precinct.

9.2 State environmental planning policies

The planning proposal is consistent with relevant state environmental planning policies.

A Plan for Growing Sydney

In 2014 the State government released, A Plan for Growing Sydney which seeks to guide land use planning decisions for the next 20 years for the Greater Sydney Region. The plan focuses on four goals:

1. A competitive economy with world-class services and transport;
2. A city of housing choice, with homes that meet our needs and lifestyles;
3. A great place to live with communities that are strong, healthy and well connected; and
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

The planning proposal is consistent with Planning Principle 1: Increasing Housing Choice Around All Centres Through Urban Renewal in Established Areas as it will increase housing variety and stock in an area that is well accessible to public transport, jobs and services.

The planning proposal is considered to be partly inconsistent with Planning Principle 2: Stronger Economic Development in Strategic Centres and Transport Gateways, as it seeks to rezone part of the precinct for residential uses. However, the majority of the precinct will be zoned for a mix of employment and industrial uses. The planning proposal will allow for the creation of 6,000 additional jobs in the precinct, strengthening economic development and is considered to achieve the aim of Planning Principle 2.

The planning proposal is also consistent with Principle 3: Connecting Centres with a Networked Transport System, as the area is well serviced by public transport and freight networks.

Draft Greater Sydney Region Plan (October 2017)

The Plan sets a 40-year vision for Greater Sydney Region which encompasses the Blue Mountains in the west, Hawkesbury in the north, Wollondilly in the south and from the Northern Beaches to Sutherland in the East. The Plan assists the management and planning of growth across the region and is intended to inform infrastructure agencies and the private sector.

The planning proposal is consistent with the Plan as it will provide capacity for increased housing supply and jobs, conserves heritage in the Precinct, and increases the percentage of dwellings located within 30 minutes by public transport of metropolitan centres and strategic centres.

Objective 23 seeks to plan, protect, and manage industrial and urban services land. The Plan acknowledges that from time to time there will be a need to review the list of appropriate uses in any precinct. In 2014 the Marrickville Employment Lands Study (MELS) identified three options for land in the Precinct which all moved away from industrial land uses to other business zonings. As a Council led study has been

completed and the planning proposal will provide capacity for an additional 6,000 jobs it is consistent with this objective.

Draft Revised East District Plan (October 2017)

The Draft Revised East District Plan is an updated version of the draft Central District Plan. It is a 20-year plan to manage growth and achieve the 40-year vision of the Draft Greater Sydney Region Plan, while enhancing Greater Sydney's liveability, productivity and sustainability into the future. It is a guide for implementing the Draft Greater Sydney Region Plan at a District level and is a bridge between regional and local planning.

The planning proposal is generally consistent with the ten Directions and 20 Planning Priorities of the Draft Plan. The draft LEP contains provisions to require the delivery of State infrastructure in accordance with Priority E1 *Planning for a city supported by infrastructure*.

The planning proposal is consistent with Priority E4 *Fostering healthy, creative, culturally rich and socially connected communities* as it will facilitate the intensification of an employment area that is serviced by frequent buses and that is in walking distance from Sydenham Station.

The planning proposal is consistent with Priority E11 *Growing investment, business opportunities and jobs in strategic centres* as it will provide access to jobs, goods and services in an existing employment precinct and contribute towards the Eastern District's employment growth to 2036.

As discussed above, the planning proposal is consistent with Priority E12 *Protecting industrial and urban services land* as the transition of the precinct to a mixed use creative location is supported by MELS. The precinct will also facilitate the ongoing and expanded use of light industrial development in the precinct.

10. MAPPING

The maps associated with this amendment have been checked by GIS staff. The maps have been sent to Parliamentary Counsel (**Attachment Maps**).

11. CONSULTATION WITH COUNCIL

Council was consulted on the terms of the draft instrument (**Attachment M**). Council concluded that there are several substantive issues that remain outstanding or not satisfactorily resolved that should be resolved before the draft LEP is made (**Attachment N**).

Council was given a copy of the draft LEP on 31 October 2017 and maps on 1 November 2017. At that time, the zoning map had not been updated to include the SP2 zone.

Council contended that the draft amendment lacked certainty for future development in the precinct, leaving determination of road network upgrades, transport connections, traffic, amenity and heritage to a later date. Council identified that matters of concern not addressed by the clause were:

- proposed post-exhibition zoning changes requested by Council (**Attachment J**);
- the need to provide new areas of public open space in the precinct;
- drainage and flooding;
- affordable housing;
- reflecting urban design and built form recommendations of Mr Rod Simpson, architect and urban designer, who independently reviewed the planning proposal; and

- the impact of a 14-storey development adjacent to Wicks Park on solar access and amenity in the park.

Council was concerned that the draft LEP does not identify any land for public infrastructure, services or amenities and that height and FSR controls applied to the entire precinct, which would increase acquisition costs. Council stated that land required for public purpose should be shown on the Land Reservation Acquisition Map.

Council stated that not including a provision for affordable housing in the precinct was not in the public interest.

Council noted mapping inconsistencies regarding colouring and potentially outdated LEP data.

Council consider the approval of the draft LEP would bring into question the 'precautionary approach' to converting employment and urban services land.

11.1 Department response

The Department has modified clause 6.17 of the draft LEP to ensure the DCP addresses drainage and flooding, the provision of open space and impact the of development on public open space. The DCP cannot address affordable housing. As detailed in **Attachment K**, the Department found that Rod Simpson's recommendations were adequately addressed before the Gateway assessment. It is noted that the Council's Architectural Excellence Panel supported the B4 zoning near Wicks Park and found that both sides of Victoria Road are activated and the proposed zonings work in tandem. The draft DCP exhibited with the planning proposal can be further refined after the draft LEP is made.

Since Council was consulted on the draft LEP, the Department has included an SP2 zone at the Sydenham Road and Victoria Road intersection to provide land for the intersection. Zonings for local infrastructure have not been included. The dedication of land in the precinct could have been managed by establishing a VPA with the proponent. The Department notes that the Council did not enter negotiations with the proponent during the preparation and exhibition of the planning proposal despite the proponent's offer to do so.

A provision for affordable housing cannot be included in the draft LEP as Council is not in SEPP 70 as discussed in section 8 above.

The draft LEP zoning maps have been checked for accuracy and updated.

A detailed response to rezoning the industrial land is provided in **Attachment K**. In summary:

- the exhibited planning proposal reduced residential rezoning in the precinct and applied a B5 zone to retain employment uses and maintain large amounts of industrial land. Eighty-eight per cent of private land in the precinct will be zoned for industrial and/or business uses and 48 per cent will be retained as IN1;
- the State Government's Draft Sydenham to Bankstown Urban Renewal Corridor Strategy supports this area being zoned mixed use;
- the planning proposal is consistent with the strategy as outlined in the detailed strategic plan for the Sydenham precinct;
- the strategy supports the rezoning of the Victoria Road precinct and the proposed zonings in the south-east corner of the precinct; and

- the planning proposal was deemed to have strategic merit at Gateway.

12. PARLIAMENTARY COUNSEL OPINION

On 29 November 2017, Parliamentary Counsel provided the final Opinion that the draft LEP could legally be made (**Attachment PC**).

13. RECOMMENDATION

It is recommended that the Greater Sydney Commission's delegate determine to make the draft LEP because it:

- will facilitate up to 1100 dwellings in a well-serviced location that is close to public transport;
- will provide capacity for an additional 6,000 jobs 5km from the Sydney CBD (there are currently 1,116 jobs in the precinct);
- will revitalise the precinct by allowing for a more diverse range of emerging uses;
- is generally consistent with all relevant state environmental planning policies and section 117 Directions;
- provides for job and housing opportunities.



30/11/2017

Martin Cooper
Team Leader, Sydney Region East



30/11/17

Catherine Van Laeren
Director, Sydney Region East
Planning Services

Contact Officer: Brendan Metcalfe
Senior Planner, Sydney Region East
Phone: 9860 1442