

## **Public Exhibition - 72-84 Foveaux Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

**File No: X023555**

### **Summary**

Surry Hills continues to have a strong relationship with employment uses and commercial floor space in the fringe CBD with strong demand for floor space from the creative and technology industries. As these industries compete for the limited amount of affordable spaces within Central Sydney, Surry Hills functions as an overflow commercial market, providing affordable spaces and proximity to Central Sydney. In addition, capacity for employment uses in Surry Hills has been challenged until recently by the strong demand for residential conversion.

This report seeks Central Sydney Planning Committee (CSPC) approval of the Planning Proposal: 72-84 Foveaux Street, Surry Hills (the planning proposal) for submission to the Department of Planning, Industry and Environment with a request for Gateway Determination to allow public exhibition.

In March 2019, Ethos Urban planning consultants, on behalf of the landowner Stasia Holdings Pty Ltd, submitted a request to amend the planning controls for the site at 72-84 Foveaux Street, Surry Hills.

The site is located in Surry Hills on the fringes of Central Sydney, approximately 400 metres from Central train station and the future Light Rail stop on Chalmers Street. Development within the surrounding area has seen the provision of mixed use buildings comprising ground floor retail and mainly residential uses above.

The site comprises a circa 1970s six storey masonry commercial building that includes ground floor retail and five floors of small commercial suites. The existing building is almost 24 metres high and exceeds the current height control. The site has development consent for a mixed-use redevelopment including 27 residential apartments.

The planning proposal request sought by the landowner is to pursue upgraded commercial proposal rather than the residential approval. It has been reviewed by the City and this resulted in some minor changes to address overshadowing, to provide additional public art opportunities, remove any boundary encroachment, include ecologically sustainable development provisions and address off-street site servicing.

The planning proposal, at Attachment A, seeks amendments to the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to:

- provide a maximum building height control from 15 metres to 25 metres, which equates to a building height of RL 55.00 metres for the site (approximate existing building height);
- increase maximum floor space ratio from 2.5:1 to 4:1 for a commercial development;
- removal of all on-site car parking; and
- exclude residential accommodation and serviced apartments from the above provisions.

Amendment to the Sydney Development Control Plan 2012: 72-84 Foveaux Street, Surry Hills (draft DCP), at Attachment B provides additional site specific controls to guide development of the site, including land use, building envelope, built form, public domain, servicing, public art and sustainability, including securing a 6 star NABERS Energy Commitment.

The resulting built form facilitated by the planning proposal and the draft DCP will deliver a much upgraded commercial building with additions that replace on-site car parking with an end of trip facility and event space located so that it will not impact upon public domain and adjacent residential dwellings. This planning proposal facilitates the retention of enterprise/creative employment floor space within Surry Hills and eliminates car parking in favour of active and public transport.

## Recommendation

It is resolved that:

- (A) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills as shown at Attachment A to the subject report, for submission to the relevant local-plan making authority with a request for Gateway Determination;
- (B) the Central Sydney Planning Committee approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, for public consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) the Central Sydney Planning Committee seek authority from the local-plan making authority to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: 72-84 Foveaux Street, Surry Hills;
- (D) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2019 that Council approve the draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal; and
- (E) the Central Sydney Planning Committee note the recommendation to Council's Transport, Heritage and Planning Committee on 17 June 2019 that authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 72-84 Foveaux Street, Surry Hills and Sydney Development Control Plan 2012: 72-84 Foveaux Street, Surry Hills to correct any drafting errors following the Gateway Determination.

## Attachments

**Attachment A.** Planning Proposal: 72-84 Foveaux Street, Surry Hills

**Attachment B.** Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills Amendment

## Background

1. Surry Hills continues to have a strong relationship with employment uses and commercial floor space in the Central Sydney, with strong demand for floor space from the creative and technology industries. As these industries compete for the limited amount of affordable floor space within Central Sydney, the Surry Hills precinct functions as an overflow commercial market, providing more affordable space in proximity to Central train station and Central Sydney. In addition, capacity for employment uses in Surry Hills is challenged by the demand for residential conversions.
2. This report seeks Central Sydney Planning Committee (CSPC) approval of the Planning Proposal: 72-84 Foveaux Street, Surry Hills (the planning proposal), at Attachment A, for submission to the Department of Planning, Industry and Environment (the Department) with a request for a Gateway Determination to allow public exhibition
3. In March 2019, the City received a planning proposal request from Ethos Urban planning consultant, on behalf of landowner Stasia Holdings Pty Ltd, to change the building height and floor space ratio planning controls that apply to 72-84 Foveaux Street, Surry Hills.
4. The site currently contains a six-storey masonry commercial office building with ground floor retail and basement car parking. The site is shown at Figure 1.
5. The planning proposal seeks to amend the Sydney Local Environmental Plan 2012 (Sydney LEP 2012) to increase the maximum floor space ratio and building height to facilitate the refurbishment and revitalisation of the commercial office building including the conversion of GFA exempt car parking to office floor space.
6. The changes will allow an improved development outcome without significantly altering the height that will result in:
  - (a) retention and environmental upgrade of the commercial office building on site to provide an improved offering with an additional 1,016sqm of commercial office floor space without significant adverse impacts to surrounding neighbours or the public domain; and
  - (b) new glazed façade, two-storey atrium, revitalised open-plan commercial floor space, roof top terrace and conversion of the basement carpark to event space and an end of trip facility;
7. This report also seeks the Central Sydney Planning Committee note Council's approval of a draft Sydney Development Control Plan 2012: 72-84 Foveaux Street, Surry Hills (draft DCP), at Attachment B, for public exhibition. The draft DCP seeks amendments to the Sydney Development Control Plan 2012 (Sydney DCP 2012) to include detail built form provisions which will guide redevelopment of the site.

## Site details

8. The subject site is located at 72-84 Foveaux Street, Surry Hills and is identified as Lot 1 DP 625093. The land has a total area of approximately 860 square metres and is owned by Stasia Holdings Pty Ltd. The site is shown outlined in Figures 1 and 2. Photos of the site are at Figures 3 and 4.

9. The site has frontages to Foveaux Street to the south, Corben Street to the east and Waterloo Street to the west. The site is irregular in shape with three rectangular shaped properties adjoining the site to the south-east fronting the intersection of Corben Street and Foveaux Street.
10. The site is located on the steep section of Foveaux Street with a gradient difference at ground level of approximately 4.5 metres from the eastern boundary at Corben Street to the western boundary at Waterloo Street.
11. Existing development on the site consists of a six storey circa 1970s masonry (concrete/brick) building almost 24 metres high and about 2,500sqm total floor area. The Foveaux Street frontage includes the main building entry, two ground floor retail tenancies and a publicly accessible courtyard. The site's vehicle access to the basement carpark is through the garage on Waterloo Street. The building's upper storeys include windows on the eastern, southern and north-western facades. Blank masonry walls front the shared boundaries with the adjoining residential dwellings and to the western elevation.
12. The site is very well serviced by public transport. It is located approximately 400 metres from Central train station with bus and rail connections to other parts of the Sydney metropolitan area and elsewhere in New South Wales; and just over 800 metres from Central Sydney to the north-west. A light rail stop on the future CBD and South East Light Rail project is located on Chalmers Street adjacent to Central Station, about 500 metres from the subject site.



**Figure 1:** Site location

13. The site is surrounded by the following development:
- (a) East - Two storey terraces directly adjoin the site and front Cobden Street with an eight storey commercial office building on the opposite corner of Corben and Foveaux Streets.
  - (b) South - On the opposite side of Foveaux Street is a number of two storey residential terraces, multi-storey commercial buildings and a five storey mixed-use building with residential apartments on the upper floors opening onto Foveaux Street.
  - (c) West - To the west of the site, is a row of two storey commercial terraces including the local heritage item 'Excelsior Hotel' that fronts Bellevue Street and Foveaux Street. To the south-west of the site is row of commercial and mixed use buildings that range between four and six storeys fronting the southern side of Foveaux Street towards Central Station.
  - (d) North - To the immediate north of the subject site is a row of two storey residential terraces from the western side of Corben Street and a three-storey former warehouse that has been converted into a residential apartment building. Waterloo Street presents as industrial in character with two-storey warehouses directly adjoining the site on its north-west boundary.

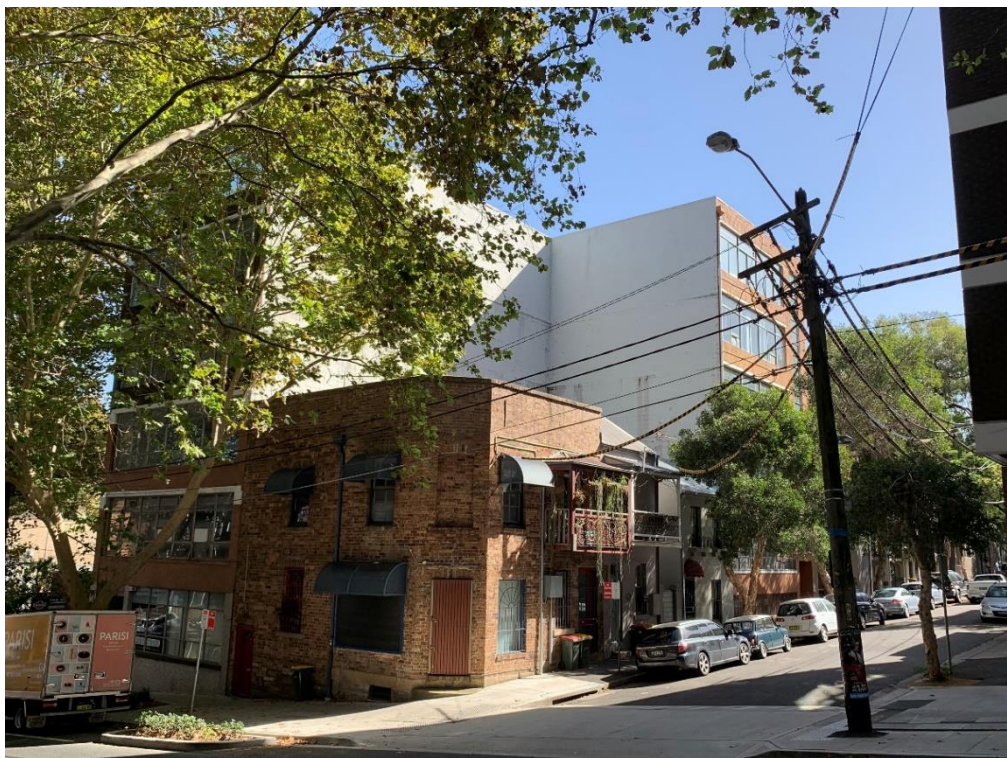


**Figure 2:** Aerial photo of the site and surrounding context.





**Figure 3:** Looking north-east towards the subject site.



**Figure 4:** Looking north-west towards the subject site and adjoining residential terraces.

**Current planning controls**

14. Key planning controls currently applying to the site, include:
  - (a) B4 Mixed Use zoning that permits a range of uses including commercial premises and residential accommodation;
  - (b) a maximum building height of 15 metres;
  - (c) a maximum floor space ratio of 2.5:1; and
  - (d) located within the Little Riley Street heritage conservation area.
15. The Sydney DCP 2012 contains built form and public domain controls, including a maximum building height (in storeys) of four storeys and classifies the existing building as a detracting building within the heritage conservation area.

**Previous application history and planning proposal request**

16. The existing building on site dates from the 1970's. Development approval was issued by Council in 1972 and the building was constructed the following year. The site has predominantly consisted of commercial uses since this time, previous development approvals include use of the ground floor as retail and as a coffee shop.
17. The site currently holds development approval for major alterations to the existing building, including the construction of an additional storey to create a seven storey mixed building with basement car parking, ground floor retail and 27 residential apartments. This approval includes an additional storey, new building entries and balconies to the Corben Street frontage. This consent will expire in August 2019.
18. On 19 March 2019, the City received a request to prepare a planning proposal to amend the building height and FSR controls under the Sydney LEP 2012 to facilitate the refurbishment and upgrade of the existing commercial building to accommodate a new tenant as their corporate headquarters.
19. A concurrent development application matching the proposed planning proposal development concept was lodged on the same day in March 2019. As the proposed development concept significantly exceeded the LEP height and FSR controls, the City was unable to progress this development application without the change to the LEP. As such, the DA application was withdrawn in May 2019.
20. The planning proposal request submitted on behalf of the landowner sought to:
  - (a) increase the maximum building height control from 15 metres to 25 metres (current building 24m); and
  - (b) increase the maximum floor space ratio (FSR) control from 2.5:1 to 4:1.
21. The changes to the applicable development controls under the Sydney LEP 2012 will facilitate a upgraded commercial office building with additional floor space achieved through the conversion of on-site car parking to an event space and end of journey facility. Additional floor space will be located on the ground floor in the new glazed atrium and on the upper floors with the new building extension that matches the existing building's nil street setback.



22. The proponent's request was reviewed by the City. Following the City's review, amendments have been provided to address:
  - (a) overshadowing of adjacent residential dwellings;
  - (b) interface with the public domain and street trees;
  - (c) additional public art opportunities;
  - (d) removal of all boundary encroachments; and
  - (e) ecologically sustainable development provisions.
23. The proposed planning controls in the planning proposal and the DCP amendments are discussed below.

## **Key Implications**

### **Proposed amendments to Sydney Local Environmental Plan 2012**

24. This planning proposal seeks to amend Part 6, Division 5 Specific Provisions of the Sydney LEP 2012 to insert a site-specific clause for:
  - (a) maximum building height of RL 55.00 metres, which equates to an increase of the building height control from 15 metres to 25 metres to facilitate a six storey built form, including roof terrace, that is approximately the height of the existing building;
  - (b) increase maximum FSR from 2.5:1 to 4:1 to deliver additional floor space primarily contained within the basement and ground floor of the building;
  - (c) the additional building height and FSR is only available to a commercial scheme and is not available to residential accommodation or serviced apartment developments; and
  - (d) the removal of all discretionary car parking on site (retention of off-street building servicing) and replacing it with an event space and end of journey facility.
25. As the proposed development concept does not exceed 25 metres in height, a Competitive Design Process would not be required. A site-specific draft DCP has however been developed to provide guidance on the proposed building envelope, bulk and massing, sustainability, public art and site servicing provisions.

### **Proposed amendments to Sydney Development Control Plan 2012**

26. The draft DCP, at Attachment B, provides additional site specific provisions to guide the development, as discussed below.

## **Objectives**

27. The proposed controls retain the ongoing use of the existing building to be consistent with its current use and remain as commercial office use. The infill of the ground floor with a glazed atrium and use as a staff canteen will provide greater activation and passive surveillance of the Foveaux Street public domain.

28. The provision of non-residential uses on the site will contribute to the delivery of employment uses in a location that is well served by nearby public transport connections and close to Central Sydney. Locating commercial uses on Foveaux Street, a major thoroughfare through Surry Hills, mitigates noise and other amenity impacts that would otherwise impact a residential scheme on the site.

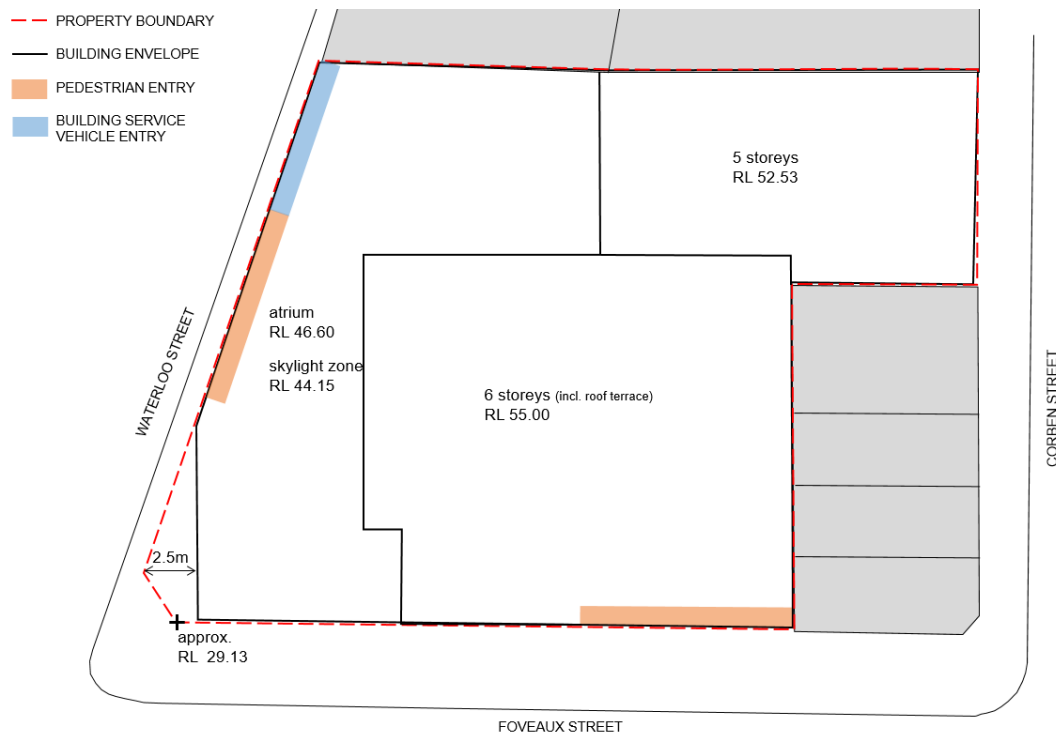


**Figure 5:** Photo montage of the proposed development concept.

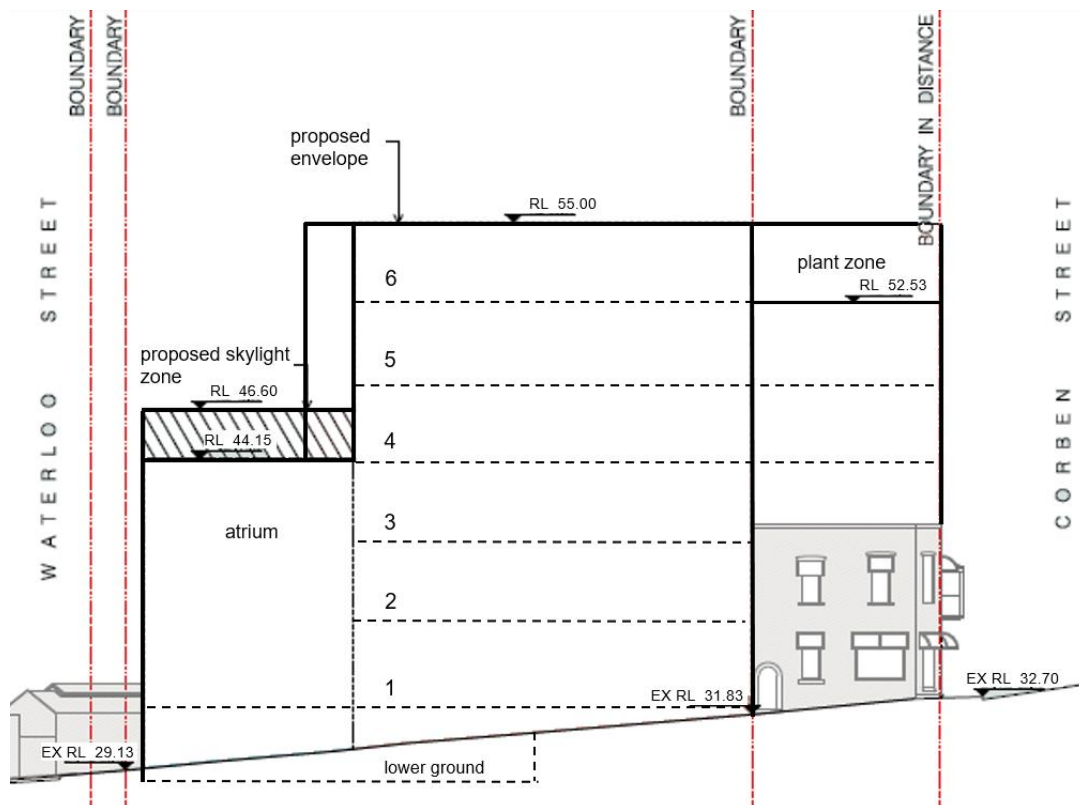
#### Built form

29. The draft DCP building envelope has been designed and situated to minimise impact on the public domain and reduce height impacts to adjacent residential buildings. The building envelope facilitates:
- (a) a maximum building height of:
    - (i) six storeys, including a roof terrace for the Foveaux Street frontage;
    - (ii) five storeys to the Corben Street frontage; and
    - (iii) a three storey glazed atrium up to 15 metres and large decorative skylights to a maximum height of 17 metres above the Waterloo Street ground level.
  - (b) conversion of the existing basement carpark to commercial floor space, including the provision of an end of journey facility;
  - (c) lower ground floor pedestrian entry and servicing on Waterloo Street and at-grade ground floor pedestrian entry to Foveaux Street; and
  - (d) use of high quality materials to all facades to deliver a contemporary building that contributes to the streetscape.

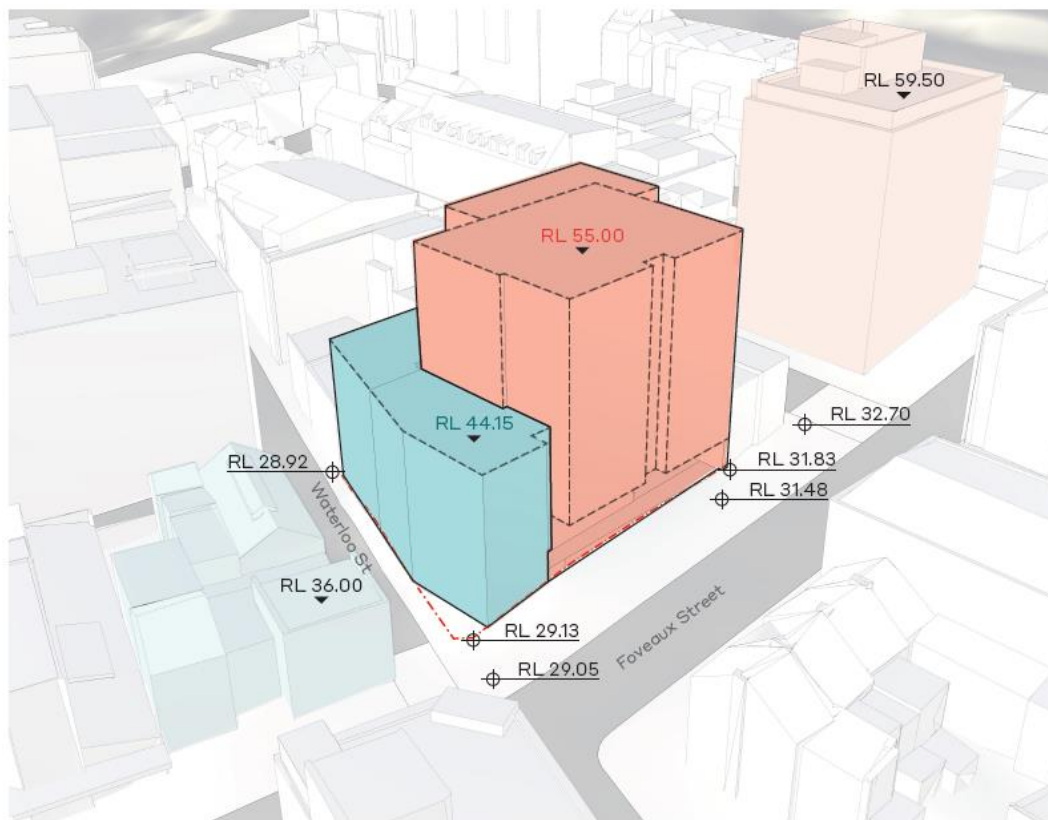
30. Figures 6, 7 and 8 include the structure plan, Foveaux Street elevation and proposed building envelope located in the draft DCP.



**Figure 6:** Structure plan for future development at 72-84 Foveaux Street.



**Figure 7:** Foveaux Street elevation of the proposed building envelope for future development at 72-84 Foveaux Street, Surry Hills.



**Figure 8:** Maximum building envelope for future development at 72-84 Foveaux Street, Surry Hills.

#### Public domain

31. The removal of an ineffective setback on the ground floor and replacement with a glazed atrium and active ground floor uses will result in an improved public domain outcome with greater passive surveillance.
32. A row of London Plane trees are located in the public domain on Foveaux Street directly adjacent to the subject site. These trees provide a significant avenue and canopy above the Foveaux Street roadway. The draft DCP includes provisions to ensure that any development on site, where the front setbacks are reduced, does not detrimentally impact upon the root system of this row of street trees. The current proposal, by utilising the existing building footprint, does not require any additional footings, and thereby limiting impact to the root system.

#### Heritage and public art

33. The existing building is classified as having a detracting impact on the surrounding heritage conservation area. Any future development needs to improve the building's relationship with the streetscape and sympathetically respond to its context.
34. The draft DCP includes provisions to ensure any future development suitably responds to its context by employing fine grain glazing and facade detail that responds to the vertical rhythm of buildings in the area. The location of the glazed atrium along the western boundary of the site provides a visual transition in height between taller building to the east of the subject site, the six storey section of the building and the two storey commercial terraces that front Foveaux Street to the west of the site.

35. The delivery of public art to the building's principal facade and the large format windows of the glazed atrium will deliver considerable visual interest to the streetscape. The draft DCP nominates the building's primary façade as the location of the proposed public art. The public art is to be incorporated into the façade's design and extend along the southern facade at all levels and to the facade of the glazed atrium on the western Waterloo Street frontage, as it will be visible to pedestrians travelling east along Foveaux Street.

#### Parking, vehicle access and servicing

36. The proposed development concept includes the removal of all discretionary on-site car parking, replaced with additional floor space. This includes the removal of the basement garage access from Waterloo Street. The removal of on-site car parking will encourage greater active and public transport use, delivering a more sustainable development outcome that helps reduce private vehicle congestion.
37. The draft DCP includes provisions on the proposed basement End of Journey facility, including parking for up to 30 bicycles with direct access to the public domain.
38. A provision will be included in the draft DCP to ensure onsite building servicing and has nominated a zone on the Waterloo Street frontage for the service vehicle entry location. This matches the existing driveway location and will not result in additional traffic impacts to the surrounding area. The applicant's proposed development concept had located all building servicing off site, including waste collection, deliveries and other services. The traffic report and waste management report that accompanied the planning proposal request located waste collection to the Waterloo Street roadway, however the Sydney DCP 2012 requires all servicing for new commercial developments to take place off street and from within the subject site.

#### Sustainability

39. The proposed development concept will deliver improved sustainability outcomes. The retention of the existing building's core structure will deliver reductions in embodied carbon as compared to demolition and construction of a new building.
40. The draft DCP includes provisions to achieve a net-zero building, including operable windows on upper floors to permit natural cross ventilation and reduce reliance on artificial ventilation, installation of a photovoltaic system to the roof and rainwater capture and reuse on site. The draft DCP requires a development application to be accompanied by a 6 star NABERS Energy Commitment Agreement application.

#### Overshadowing

41. The height and location of the new glazed atrium has been set to ensure any additional overshadowing to nearby residential dwellings is minimised. Provisions in the Sydney DCP 2012 require any future development application demonstrate that all surrounding residential dwellings, including the residential terraces and apartments on the opposite side of Foveaux Street to the south of the subject site are able to achieve a minimum of two hours direct solar access between 9.00am and 3.00pm at midwinter.



## Consideration of environmental impacts

### Public and active transport

42. The site is well served by existing active and public transport infrastructure. It is within easy walking distance of existing public transport connections. Central Station, with direct train connections elsewhere on the Sydney metropolitan network, is located 400 metres to the west of the subject site. Regular bus services operate along Foveaux Street and Elizabeth Street, and the future CBD and South East Light Rail includes a new stop on Chalmers Street, connecting the site with Central Sydney and the eastern suburbs. Existing active transport infrastructure including generous footpaths along Foveaux Street, quiet residential streets and a separated cycleway on Bourke Street creates a favourable environment for pedestrians and cyclists in Surry Hills.
43. Removal of all on-site car parking and the provision of an end of journey facility will encourage increased use of sustainable transport methods. Greater active and public transport patronage results in less private vehicle use and less traffic congestion in Surry Hills.

### Built form impacts

44. This planning proposal seeks to amend the building height for a commercial scheme on the subject site under the Sydney LEP 2012, as described below in Table 1. At almost 24 metres, the existing building exceeds the current height control. As such the change in maximum height to accommodate proposed development concept is considered minor in nature and will not result in adverse impacts to the surrounding area.

Existing built form	Existing control	Proposed height
23.8 metres	15 metres	25 metres (RL 55.00 metres)
6 storeys	4 storeys	6 storeys

**Table 1:** Existing and proposed maximum building height

45. The refurbished building envelope has been designed to ensure built form impacts to surrounding residential properties are minimised. The 1,000sqm of additional floor space will be achieved through the conversion of the basement carpark to event space and end of journey facility and a new glazed atrium. The new event space on the lower ground floor will be delivered entirely within the building's existing built form. As the majority of this additional floor space is located below ground, or at ground level, it will not result in significant additional building bulk or overshadowing impacts.
46. The additions to the existing building include a new three-storey glazed atrium primarily fronting Waterloo Street and infilling the existing setback on the Foveaux Street frontage to the height of the existing building (six storeys). This addition is considered acceptable as it does not result in significant additional overshadowing to nearby residential dwellings and is able to achieve compliance with the relevant sections of the Sydney DCP 2012.

47. The proposed development concept will deliver an improved public domain interface as an inefficient ground floor setback will be replaced with a new at grade building entry and new glazed atrium which will provide greater activation and passive surveillance of the public domain.

#### **Strategic Alignment - Eastern City District Plan**

48. The City of Sydney is located in the Eastern City District, with adjacent local government areas including Inner West, Woollahra, Bayside and Randwick Local Government Areas. The Eastern City District Plan sets the local planning context for the City of Sydney local government area. It provides a 20-year plan to manage growth and achieve the 40-year vision of the Greater Sydney Region Plan.
49. The planning proposal is consistent with the following relevant planning priorities and actions of the Eastern City District Plan:
- (a) Planning Priority E1: Planning for a city supported by infrastructure;
  - (b) Planning Priority E6: Creating and renewing great places and local centres and respecting the District's heritage;
  - (c) Planning Priority E7: Growing a stronger and more competitive Harbour CBD;
  - (d) Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city;
  - (e) Planning Priority E13 Supporting growth of targeted industry sectors; and
  - (f) Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently.
50. While the planning proposal does not seek to change the zoning for the subject site, it will facilitate the retention and expansion of employment uses in a location that is close to mass transit infrastructure. The proposed concept seeks to refurbish what is classed as a detracting building in the heritage conservation area, delivering a high quality built form that provides activation of the public domain and contributes to the streetscape.
51. The subject site is located in the Harbour CBD and Eastern Economic Corridor as set out in the Eastern City District Plan. The planning proposal will deliver improved and additional commercial floor space within the Eastern Economic Corridor, close to Central Sydney, existing transport connections and other competitive advantages that this location provides. Particularly, facilitating the delivery of a 30-minute city, providing employment uses for a targeted industry close to transport or within a short commute of residential area.
52. As the concept facilitated by this planning proposal seeks to retain the core building structure and includes other ecologically sustainable development measures, it will help reduce carbon emissions. The proposal will deliver a refurbished built form that is able to achieve a NABERS 6 star rating through photovoltaic panels, rainwater capture and passive ventilation. Importantly, the building will also contribute to reduction in motor vehicle emissions by encouraging active and public transport use through the removal of all on-site car parking.

**Strategic Alignment - Sustainable Sydney 2030 Vision**

53. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This planning proposal and proposed amendment to the DCP is aligned with the following strategic directions and objectives:
- (a) Direction 1 - A Globally Competitive and Innovative City - The refurbishment of the building delivers an improved building stock to cater for a local organisation to consolidate their existing offices, supporting the delivery of a globally competitive and innovative city.
  - (b) Direction 2 provides a road map for the City to become A Leading Environmental Performer - This planning proposal will deliver a refurbished building that is a better environmental performer, with less energy consumption and will directly contribute towards the City's target for a reduction in emissions of 70% by 2030.
  - (c) Direction 3 - Integrated Transport for a Connected City - The site is well served by public transport. It is within walking distance from Central Station that provides direct train connections to Central Sydney, Sydney Airport, Parramatta and the wider rail network. Bus services operate along Foveaux Street and the future CBD and South East Light Rail includes a new stop on Chalmers Street, 400 metres to the west of the site.
  - (d) Direction 4 - A City for Walking and Cycling - The proposed concept will increase sustainable and active transport patronage through the removal of all on-site car parking and the provision of an end of journey facility. The removal of inefficient ground floor space and provision of greater passive surveillance of the public domain will help foster a greater sense of security encouraging further pedestrian activity.
  - (e) Direction 6 - Vibrant Local Communities and Economies - The planning proposal secures the provision of employment uses within Surry Hills. Ensuring employment opportunities are retained in an area close to existing transport connections and local community.
  - (f) Direction 7 - A Cultural and Creative City - The proposed development concept includes the provision of public art to the future building's primary facades. The delivery of high quality public art will improve the visual quality of the streetscape and contribute to the cultural vitality of the City.
  - (g) Direction 9 - Sustainable Development, Renewal and Design - This planning proposal will facilitate a refurbished and improved building stock as opposed to the demolition of the building and reconstruction, a positive sustainable outcome. The incorporation of photovoltaic panels, rainwater capture and passive ventilation into the design will help the future building achieve a NABERS 6 star rating.

**Relevant Legislation**

- 54. Environmental Planning and Assessment Act 1979.
- 55. Environmental Planning and Assessment Regulations 2000.

### **Critical Dates / Time Frames**

56. Should Council and the Central Sydney Planning Committee endorse the planning proposal for exhibition and consultation, the proposal will be sent to the Department of Planning, Industry and Environment in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 seeking a Gateway Determination. The Department will then provide a Gateway Determination to either proceed to consultation, with or without variation, or to resubmit the planning proposal.
57. Typical public exhibition timeframes, are 28 days for public authority consultation and public exhibition. The Gateway Determination will specify any conditions for consultation and public exhibition as well as a date by which the Local Environmental Plan amendment should be finalised.
58. Following public authority consultation and public exhibition, issues raised in submissions will be reported back to Council and the Central Sydney Planning Committee.
59. In October 2012, the then Minister for Planning and Infrastructure delegated his plan-making sections to councils to improve the local plan-making process. In December 2012, Council resolved to accept the delegation.
60. Council needs to receive an authorisation on a case by case basis to exercise the delegation. The authorisation is given through the Gateway process and means a faster plan-making process. This report recommends the Central Sydney Planning Committee seek authority to exercise this delegation.

### **Public Consultation**

61. The public exhibition process and requirements will be informed by the Gateway Determination. It is proposed to publicly exhibit the planning proposal and draft DCP amendment concurrently for a period of 28 days with notification on the City of Sydney website, in newspapers that circulate widely in the area and in writing to the landowners, relevant community groups and stakeholders in the vicinity of the site.
62. Exhibition documents will be available for viewing on the City of Sydney website and the One Stop Shop at Town Hall House.

**GRAHAM JAHN, AM**

Director City Planning, Development and Transport

Daniel Thorpe, Planner