

120 Victoria Street, Potts Point

Proposal Title : **120 Victoria Street, Potts Point**

Proposal Summary : **The planning proposal seeks to amend Schedule 1 of the Sydney LEP 2012 to include 'hotel or motel accommodation' as an additional permitted use for 120 Victoria Street, Potts Point.**

PP Number : **PP_2015_SYDNE_004_00**

Dop File No : **15/07026**

Proposal Details

Date Planning
Proposal Received : **21-May-2015**

LGA covered : **Sydney**

Region : **Metro(CBD)**

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

State Electorate : **SYDNEY**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **120 Victoria Street**

Suburb : **Potts Point**

City : **Sydney**

Postcode : **2011**

Land Parcel : **Lot 120 DP 594467**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**

Contact Number : **0285754121**

Contact Email : **wayne.williamson@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Ben Pechey**

Contact Number : **0292659333**

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

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy : **N/A**

Consistent with Strategy :

120 Victoria Street, Potts Point

MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 2

The NSW Government Lobbyists Code of
Conduct has been
complied with : **Yes**

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

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

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

120 Victoria Street, Potts Point is one of a row of three Victorian terraces. Each terrace is three storeys in height. Spicer's Hotel Group is the registered owner of all three properties.

120 Victoria Street is currently used as a residential dwelling. The Victoria Court Hotel operates from the other two terraces (122-124 Victoria Street, Potts Point). The hotel currently contains 25 rooms.

Council received a request to amend the planning controls for 120 Victoria Street. The owner of the existing hotel at 122-124 Victoria Street aims to expand the hotel into 120 Victoria Street. The hotel has been operating on the site for nearly 30 years.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : **The objective of the proposal is to remove a barrier to the supply of hotel accommodation in an appropriate location and consistent with Council's draft Visitor Accommodation Action Plan.**

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

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

Comment : **The proposal seeks to insert 'hotel or motel accommodation' as an additional permitted use for the land at 120 Victoria Street, Potts Point under Schedule 1 Additional Permitted Uses in the Sydney LEP 2012.**

120 Victoria Street is zoned R1 General Residential. The existing hotel at 122-124 Victoria Street is zoned B4 Mixed Use.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

6.3 Site Specific Provisions

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified?

SREP (Sydney Harbour Catchment) 2005

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

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

If No, explain :

The proposal is not considered to be inconsistent with any SEPPs and section 117 Directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

The proposal does not amend any maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Public consultation will be undertaken in accordance with the Gateway determination. Council suggests an exhibition period of 28 days.

PROJECT TIMELINE

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

Additional Director General's requirements

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

If Yes, reasons :

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : December 2012

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

Assessment Criteria

Need for planning proposal :

The proposal is not the direct result of a strategic study or report.

The proposal is the best means of achieving the objective of removing a barrier to the supply of hotel accommodation in an appropriate location and consistent with Council's draft Visitor Accommodation Action Plan.

Adding 'hotel or motel accommodation' as an additional permitted use for 120 Victoria Street will mean the site will retain its residential zoning, but enable the expansion of the hotel subject to a future development application.

Retaining the R1 General Residential zone, rather than rezoning the site to B4 Mixed Use, will mean that uses such as backpackers accommodation, pubs, entertainment facilities, commercial premises and food and drink premises will not be permitted at 120 Victoria Street.

While it is noted that the site represents a set of circumstances for which the use of Schedule 1 may be appropriate, it is generally the Department's preference to apply a land use zone which reflects the intended land uses. Keeping the land use table and zoning as the primary tools for land use controls makes it easier for landowners and the community to determine what land uses are permissible on the land. Thus, Council should be encouraged to consider allocating an appropriate zone rather than using Schedule 1 for future proposals.

Consistency with strategic planning framework :

The proposal is consistent with relevant goals, directions and actions of A Plan for Growing Sydney, in particular:

- Direction 1.9 supports priority economic sectors, with visitor economy (tourism) being identified as a priority industry, and
- the site is located within the Global Sydney Strategic Centre, which has an overarching priority to "Provide capacity for additional mixed use development in precincts for offices, retail, tourism, arts, culture, services and housing".

The proposal is also consistent with NSW Government's State Plan 2021, which sets a target to double overnight visitor expenditure by 2020. Council has developed a draft Visitor Accommodation (Hotels and Serviced Apartments) Action Plan in response to the government's State Plan. The proposal is also consistent with the Sustainable Sydney 2030 community plan.

Environmental social economic impacts :

The proposal will not affect any critical habitats, populations or ecological communities. The subject site is located in a developed urban area where no such populations or communities are known to exist.

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

The proposal has the potential to have positive social and economic effects, including creating additional jobs, improving the range of visitor accommodation types available in the Sydney CBD and improve hotel competition in the Potts Point area.

Any potential impacts created by the expansion of the hotel will be addressed in the assessment of a development application and managed through a plan of management.

Assessment Process

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

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

Public Authority Consultation - 56(2)(d) :

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

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

If no, provide reasons :

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

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

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

If Yes, reasons : **Existing infrastructure servicing the site has the capacity to accommodate future development.**

Documents

Document File Name	DocumentType Name	Is Public
120 Victoria Street Proposal.pdf	Proposal	Yes
Council Letter.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

S.117 directions: **2.3 Heritage Conservation**
3.1 Residential Zones
3.4 Integrating Land Use and Transport
6.1 Approval and Referral Requirements
6.3 Site Specific Provisions
7.1 Implementation of A Plan for Growing Sydney

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

- 1. The planning proposal be publicly exhibited for a period of not less than 14 days.**
- 2. Public agency consultation is not required.**

3. A public hearing is not required.

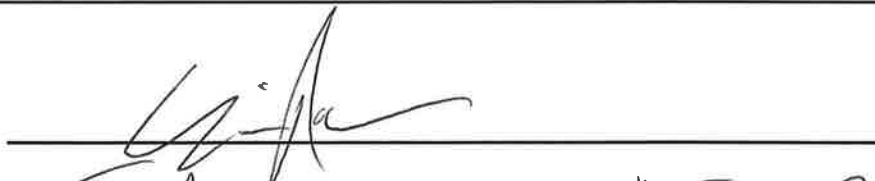
4. City of Sydney Council be granted delegation to carry out the Minister's functions under section 59 of the EP&A Act 1979 to progress this planning proposal.

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

Supporting Reasons :

The proposal is supported as it represents an opportunity to deliver visitor accommodation in an appropriate location and is consistent with Council's draft Visitor Accommodation Action Plan.

Signature:



Printed Name:

Tim Archer

Date:

4th June 2015