

7-19 Albany Street, St Leonards

Proposal Title : **7-19 Albany Street, St Leonards**

Proposal Summary : **To increase the height of building and floor space ratio controls at 7-19 Albany Street, St Leonards.**

PP Number : **PP_2014_NORTH_001_00**

Dop File No : **14/01564**

Proposal Details

Date Planning
Proposal Received : **20-Jan-2014**

LGA covered : **North Sydney**

Region : **Sydney Region East**

RPA : **North Sydney Council**

State Electorate : **NORTH SHORE
WILLOUGHBY**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **7-19 Albany Street**

Suburb : **St Leonards**

City : **Sydney**

Postcode : **2065**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Tharani Yoganathan**

Contact Number : **0285754111**

Contact Email : **tharani.yoganathan@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Alex Williams**

Contact Number : **0299368325**

Contact Email : **alex.williams@northsydney.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Sandy Shewell**

Contact Number : **0285754115**

Contact Email : **sandy.shewell@planning.nsw.gov.au**

Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy : **Metro Inner North subregion**

Consistent with Strategy : **Yes**

7-19 Albany Street, St Leonards

MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 60
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 40

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

If No, comment : **The Department of Planning and Infrastructure's Code of Conduct has been complied with. Metropolitan Delivery (CBD) has not met with or communicated with any lobbyist in relation to this planning proposal.**

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

This planning proposal implements the St Leonards / Crows Nest Planning Study - Precinct 1 (Addendum) which was adopted by Council on 22 October 2012. This study presents an open space and pedestrian masterplan and a built form masterplan. The masterplan provides for an expanded Hume Street Park with a pedestrian link to Willoughby Road, widened footpaths along Pacific Highway and mixed use buildings on key sites.

Council staff have been working with developers and property owners to implement the recommendations of the Study. The planning proposal and voluntary planning agreement relating to 7-19 Albany Street, St Leonards is the second planning proposal as a result of the Study. The first planning proposal increased the height of buildings from 26 metres to 50 metres and introduced a floor space ratio of 6.6:1 at 545-553 Pacific Highway, St Leonards. It is anticipated 10 planning proposals will be required to implement all the recommendations of the Study.

7-19 Albany Street, St Leonards currently comprises of two multi storey commercial buildings and at grade parking. The planning proposal for the site seeks to increase the height of buildings from 26 metres to 40 metres and to introduce a floor space ratio of 5.6:1. This will produce an estimated 60 dwellings and 40 jobs. A draft voluntary planning agreement accompanies the planning proposal, which provides improvements to the public domain in Oxley Street and expanded open space in Hume Street in exchange for increased height of building and floor space ratio controls - refer Tag A.

North Sydney Council has accepted the Minister's offer to delegate his plan-making functions under the EP&A Act. Council is seeking delegation to carry out the Minister's functions under section 59 of the EP&A Act to progress this planning proposal. The Department supports Council's request to exercise delegation because the planning proposal is considered a matter of local significance.

External Supporting
Notes :

Council supports this planning proposal because it will provide uplift to the site, provide improvements to the public domain and contribute towards the expansion of open space through a voluntary planning agreement.

Adequacy Assessment

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

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

Comment : **The objectives of the planning proposal are:**
 - to increase the maximum height limit for the subject site from 26 metres to 40 metres;
 and
 - to introduce a FSR of 5.6:1.

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

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

Comment : **The planning proposal:**
 -amends the building height map to show a height of 40m for the subject sites.
 -amends the floor space ratio map to show a floor space ratio of 5.6:1 for the subject sites.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA : **1.1 Business and Industrial Zones**
 3.4 Integrating Land Use and Transport
* May need the Director General's agreement **5.2 Sydney Drinking Water Catchments**
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Yes**

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

d) Which SEPPs have the RPA identified?

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

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain : **Direction 1.1 Business and Industrial Zone**
 The sites for this planning proposal are zoned B4 Mixed Use and both commercial premises and residential uses are permitted under this zone. Clause 4.4A of North Sydney LEP 2013 specifies that the non-residential floor space ratio cannot be less than 1:1. Given the planning proposal will not result in a reduction of total floor space for employment uses in a business zone, it is considered consistent with the s117 Direction.

Direction 3.1 Residential Zone
The planning proposal has the potential for inconsistency with this Direction as it may not broaden the choice of building types and locations available in the housing market. The sites for this planning proposal are zoned B4 Mixed Use and both commercial premises and residential uses are permitted under this zone. However, although Council has proposed residential and commercial uses, in accordance with the St Leonards/Crows Nest Planning Study - Precinct 1 (Addendum), the final configuration of mixed use floor space will be subject to a future development application. This planning proposal introduces a floor space ratio of 5.6:1 but does not guarantee the amount of residential floor space. A future development application could potentially reduce the floor space for residential uses, making it potentially inconsistent with this direction.

The gateway determination should request Council to address the potential inconsistency with s117 direction 3.1 Residential Zones in the planning proposal prior to community consultation.

The planning proposal is consistent with all other s117 directions and SEPPs.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **The planning proposal is considered a low impact proposal. A community consultation period of 14 days is considered appropriate.**

Project Time Line

The planning proposal indicates it will be completed within 4 months. A timeframe of 9 months is stipulated as this is considered a more suitable timeframe to complete this planning proposal.

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 : **The planning proposal provides adequate information on the following:**

- Objectives and intended outcomes
- Explanation of provisions
- Justification for the planning proposal
- Community consultation
- Project timeline
- Evaluation criteria for delegation

Delegation of plan making functions is considered appropriate in this instance, as the proposal is consistent with relevant strategic planning instruments.

Proposal Assessment

Principal LEP:

Due Date : **August 2013**

Comments in relation to Principal LEP : **North Sydney LEP 2013 (NSLEP 2013) was notified on 2 August 2013. The planning proposal will proceed as an amendment to NSLEP 2013.**

Assessment Criteria

Need for planning proposal : **The planning proposal is a result of the St Leonards/Crows Nest Planning Study - Precinct 1 (Addendum), which recommended increasing the height of building to 40 metres and introducing a FSR of 5.6:1 to the subject site.**

The proposed bonus FSR is in exchange for improvements to the public domain and expanded open space, this public benefit will be achieved through a voluntary planning agreement.

Consistency with strategic planning framework :

The planning proposal is consistent with the Metropolitan Plan for Sydney 2036, draft Metropolitan Strategy for Sydney to 2031 and draft Inner North Subregional Strategy as it contains commercial, residential and employment generating uses, provides greater housing choice and is near public transport and amenities.

The planning proposal is also consistent with North Sydney Residential Development Strategy 2009, North Sydney Local Development Strategy 2009 and the North Sydney Community Strategic Plan 2013-2023 because it provides additional housing near amenities and services.

Environmental social economic impacts :

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

The increase in height and floor space ratio controls requires examination of the overshadowing impacts, however this matter can be dealt with at the development application stage.

It is considered the planning proposal will have positive social impacts as it provides commercial and residential uses near public transport, provides an improved public domain and an expanded open space.

Assessment Process

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

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

Public Authority Consultation - s56(2) (d) : **Adjoining LGAs**

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 :

Documents

Document File Name	DocumentType Name	Is Public
NS Council Report.pdf	Study	Yes

7-19 Albany Street, St Leonards

NS Cover letter.pdf	Proposal Covering Letter	Yes
7-19 Albany St_Existing FSR Control.pdf	Map	Yes
7-19 Albany St_Existing Height Control.pdf	Map	Yes
7-19 Albany St_Proposed FSR Control.pdf	Map	Yes
7-19 Albany St_Proposed Height Control.pdf	Map	Yes
NS Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
3.4 Integrating Land Use and Transport
5.2 Sydney Drinking Water Catchments
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

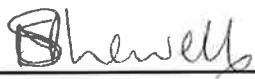
Additional Information : **It is recommended the planning proposal proceed subject to the following conditions:**

- 1. The draft voluntary planning agreement be placed on public exhibition.**
- 2. The planning proposal is exhibited for 14 days.**
- 3. The planning proposal be completed within 9 months.**
- 4. A public hearing is not required to be held.**
- 5. Consultation is to occur with the Councils of the adjoining LGAs.**
- 6. Council must address the potential inconsistency with S117 Direction 3.1 Residential zones in the planning proposal prior to exhibition.**
- 7.A written authorisation to exercise delegation under section 59 of Environmental Planning and Assessment Act, 1979 is issued to Council in relation to the planning proposal.**

Supporting Reasons : **The planning proposal is supported for the following reasons:**

- the provision of additional uplift will provide employment and housing in close proximity to public transport;**
- the planning proposal provides a public benefit of an improved public domain and expanded open space to the community.**

Signature:



Printed Name:

Sandy Shewell

Date:

7.2.14



Figure 61 – Activities and Uses

