

Epping library site - additional permitted uses

Proposal Title : **Epping library site - additional permitted uses**

Proposal Summary : **To amend Hornsby Local Environmental Plan 2013 to permit residential flat buildings on the site of the Epping Library at 10 Pembroke Street, Epping, but only where all premises on the ground floor are used for community facilities.**

PP Number : **PP_2015_HORNS_003_00** Dop File No : **15/14195**

Proposal Details

Date Planning Proposal Received : **28-Aug-2015** LGA covered : **Hornsby**

Region : **Metro(Parra)** RPA : **The Council of the Shire of Hornsby**

State Electorate : **EPHING** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **10 Pembroke Street**

Suburb : **Epping** City : **Sydney** Postcode : **2121**

Land Parcel : **Lot 5, DP 249822**

DoP Planning Officer Contact Details

Contact Name : **Shane Nugent**

Contact Number : **0298601173**

Contact Email : **shane.nugent@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Lisa Newell**

Contact Number : **0298476945**

Contact Email : **lisa.newell@hornsby.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Terry Doran**

Contact Number : **0298601149**

Contact Email : **terry.doran@planning.nsw.gov.au**

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : **Metro North subregion** Consistent with Strategy : **Yes**

Epping library site - additional permitted uses

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 : 0

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

If No, comment :

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

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

Date of Receipt

Legal advice has been sought over whether the proposal is consistent with the Standard Instrument Order, and in particular with Direction 2 of Clause 2.5. The advice is that an amendment of the planning proposal is not required.

This has necessitated the adjustment of the 'receipt date'.

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 ensure that new and expanded community facilities at the Epping Library site can be co-located with an adjoining urban plaza in accordance with Council's draft "Community and Cultural Facilities Plan", the Epping Town Centre Urban Activation Precinct Structure Plan 2013" and the "Epping Town Centre Study" (2011).

The intended outcome is to enable residential flat buildings on the Epping Library site, where the use of all premises on the ground floor is for the purposes of community facilities.

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

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

Comment :

It is proposed to amend Schedule 1 of Hornsby Local Environmental Plan 2013 to insert an item permitting development of the site at 10 Pembroke Street, Epping, subject to development consent, for the purpose of residential flat buildings where the use of all premises on the ground floor is for the purposes of community facilities.

The Additional Permitted Uses Map is to be amended to show the site on a new map (sheet 11).

Epping library site - additional permitted uses

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

6.1 Approval and Referral Requirements

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?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

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? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Part 4 of the planning proposal includes a map showing the boundaries and location of the site. It is proposed to show the site on the Additional Permitted Map, but the proposed map is not included in the planning proposal. Prior to finalisation of the proposal, Council will be required to prepare the proposed map in a form consistent with the Department's "Standard technical requirements for LEP maps".

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Consultation is proposed for a period of 28 days.

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 :

Comments in relation to Principal LEP :

Hornsby Local Environmental Plan 2013 came into effect in 2013.

Assessment Criteria

Need for planning proposal :

The subject site is zoned B2 Local Centre in Hornsby Local Environmental Plan 2013, and forms part of Epping Town Centre. Residential development in this zone is only permitted in the form of shop-top housing. Council anticipates extensive development of shop-top housing in the centre.

The definition of shop-top housing requires commercial use of the ground floor, and does not include use of the ground floor for a library or other community purposes.

A planning proposal to amend the local environmental plan is required to allow residential development with a library and other community uses on the ground floor, as proposed by Council.

Consistency with strategic planning framework :

The site forms part of the Epping Town Centre Urban Activation Precinct. The State Environmental Planning Policy Amendment (Epping Town Centre) 2013 amended the development standards to permit development of up to 48 metres (approximately 15 storeys) on the site, which is in close proximity to Epping Railway Station.

The Epping Town Centre Urban Activation Precinct Structure Plan provides for a Town Square with a focus on civic functions in the forecourt to Epping library.

The draft Hornsby Community and Cultural Facilities Strategic Plan recommends that Council seek to redevelop the property to create a co-located district library and multi-purpose community and cultural centre, supported by an area of well-designed public open space.

The proposal does not change the permitted uses for the site, except that it allows residential development with community facilities on the ground floor. Currently residential development is permitted, but only with ground floor being used for commercial use.

There is no change to the maximum height or floor space ratio.

The plan is consistent with Goal 3 - A Great Place to Live and Direction 3.1 - Revitalise Existing Suburbs of 'A Plan for Growing Sydney' in that it will provide opportunities for local social infrastructure, arts and cultural opportunities, in an existing suburb and priority precinct close to public transport and other facilities.

Environmental social economic impacts :

Environmental

The land is part of a well established urban area. The proposal does not change the scale of development permitted on the site.

Social and Economic

The proposal would enable development of a co-located library, community facility and Town Square, with a net social benefit to the community of Epping.

Assessment Process

Proposal type : **Consistent** Community Consultation Period : **28 Days**

Timeframe to make LEP : **6 months** Delegation : **DDG**

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 :

Legal Services

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

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Hornsby covering letter.pdf	Proposal Covering Letter	Yes
Hornsby planning proposal.pdf	Proposal	No

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
6.1 Approval and Referral Requirements
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **DELEGATION OF GATEWAY DETERMINATION**
As the matter is of a minor nature, and the recommendation is consistent with the position of Council, it is recommended that the Gateway determination function be exercised by the Director, Metropolitan (Parramatta).

DELEGATION OF PLAN MAKING FUNCTION
It is recommended that the Minister's plan-making function in relation to this proposal not be delegated to Council, in view of the potential conflict of interest - Council is the owner of the site. This is consistent with the request of Council.

RECOMMENDATION AND GATEWAY CONDITIONS

It is recommended that the proposal should proceed subject to the listed below:

- The proposal is to be placed on public exhibition for a period of 28 days.
- No agency consultation is required.
- Prior to finalisation of the proposal, Council is be required to prepare the an amendment to the Additional Permitted Uses Map in a form consistent with the Department's "Standard technical requirements for LEP maps".
- The proposal is to be finalised within 6 months of the week following the date of the Gateway determination.

Supporting Reasons :

The proposal seeks to overcome an anomaly in the Standard Instrument where shop-top housing requires commercial uses on the ground floor, and residential development is not permitted above other uses providing an active frontage, such as community facilities.

The proposal permits residential development and community facilities in a location close to public transport and a range of facilities, consistent with the Epping Urban Activation Precinct Structure Plan (March 2013).

Apart from permitting residential development and community facilities to be co-located, the proposal does not change the range of uses permitted on the site or the scale of development permitted, consequently no agency consultation is recommended.

Signature:



Printed Name:

T DORAN

Date:

1/10/15