

FSR Amendment - 211 - 223 Pacific Highway, North Sydney

Proposal Title : **FSR Amendment - 211 - 223 Pacific Highway, North Sydney**

Proposal Summary : **The proposal seeks to reduce the minimum non-residential floor space ratio (FSR) for 211 - 223 Pacific Highway, North Sydney under North Sydney LEP 2001 from 3:1 to 0.5:1 which is in line with the North Sydney Draft LEP 2012.**

PP Number : **PP_2012_NORTH_002_00** Dop File No : **12/05260**

Proposal Details

Date Planning Proposal Received : **14-Mar-2012** LGA covered : **North Sydney**

Region : **Sydney Region East** RPA : **North Sydney Council**

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

LEP Type : **Spot Rezoning**

Location Details

Street : **211-223 Pacific Highway**

Suburb : **North Sydney** City : **Sydney** Postcode : **2060**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **Tharani Yoganathan**

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name : **Juliet Grant**

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Land Release Data

Growth Centre : Release Area Name :

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

Regional Strategy :

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MDP Number :	0	Date of Release :	
Area of Release (Ha) :	0.00	Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

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

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting Notes : **The subject site is zoned Mixed Use under North Sydney LEP 2001 (NSLEP 2001).**

On 29 April 2011, JRPP granted development consent for a DA to demolished an existing building and structure at 211-223 Pacific Highway. The DA proposes to erect an 18 storey building containing 4 levels of basement, 3 levels of commercial floor space, 144 residential units. The approved development contained a non-residential ratio of 2.6:1.

In October 2011, a preliminary meeting was held with Council to reduce the level of non-residential FSR on the site to 0.5:1.

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 allow a greater proportion of residential development on the site.**

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

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

Comment : **Under NSLEP 2001, a minimum non-residential FSR of 3:1 and maximum non-residential FSR of 4:1 apply to the subject land.**

The Planning Proposal seeks to reduce the minimum non-residential FSR applicable to the subject land to 0.5:1.

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

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

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 : **No**

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? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Zoning map, Location map, Aerial map and Range of Non Residential FSR map has been provided.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **This planning proposal is of low impact. Sydney Region East proposes a 14 day consultation period.**

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 : **June 2012**

Comments in relation to Principal LEP : **This planning proposal seeks to bring forward controls that are included in the draft North Sydney Comprehensive LEP 2012 (the 'draft plan'). The subject site is zoned B4 Mixed Use in the Draft LEP, with a minimum non-residential FSR of 0.5:1.**

The draft plan is currently being prepared by Parliamentary Counsel and likely to be re-exhibited in the first half of this year.

Assessment Criteria

Need for planning proposal : **The proposed amended control has been included in the draft LEP. The planning proposal will expedite these controls.**

This reduction in non-residential FSR allows flexibility in the mixed use zone to adapt according to the demand for commercial space.

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Consistency with strategic planning framework :

The draft Inner North Subregional Strategy outlines targets of 5500 additional dwellings for the North Sydney LGA and 11 000 additional jobs for the North Sydney Centre by 2031. This amendment to the LEP, would contribute to the dwelling target. However the reduction in non-residential FSR will take away from the realisation of the jobs target.

The planning proposal will also be inconsistent with section 117 direction 1.1 Business and Industrial zone, as it decreases the capacity of potential commercial floor space. This is considered to be a non compliance is offset by the realisation of greater housing opportunities in a major centre.

The Planning Proposal is also consistent with the draft LEP.

Environmental social economic impacts :

This planning proposal is unlikely to have any significant adverse environmental, social or economic impacts.

Assessment Process

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

Timeframe to make LEP : **6 Month** 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 :

Documents

Document File Name	DocumentType Name	Is Public
North Sydney Council_14-03-2012 00_00_00_211-223 PACIFIC HIGHWAY, NORTH SYDNEY_.pdf	Proposal	Yes
211-223 Pacific Hwy_FSR Amendment.pdf	Map	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**
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 6.3 Site Specific Provisions
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **Proceed with the planning proposal subject to the following conditions:**

- (1) Public exhibition period of 14 days.**
- (2) No public authority consultation is required.**

Supporting Reasons : **The planning proposal is consistent with provisions relevant to the subject land exhibited in the Draft North Sydney Comprehensive LEP and is of a minor nature.**

Signature:



Printed Name:

SUSAN SKY

Date:

22/3/12

