

Ku-ring-gai Council



Planning Proposal

Planning Proposal to include the 3M building at 950 Pacific Highway Pymble as an item of local environmental heritage.

Ku-ring-gai Council

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Table of Contents

Table of Contents

Introduction	6
Background	6
Site Description and Location	7
Existing Planning controls.....	8
Part One – Objectives or Intended Outcomes	8
Objectives.....	8
Proposed Planning Controls	8
Part Two – Explanation of Provisions	8
Explanation of the provisions	8
Part Three - Justification	10
Section A - Need for the planning proposal.....	10
Q1. Is the planning proposal a result of any strategic study or report?	10
Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	11
Section B - Relationship to the Strategic Planning Framework	11
Q3. Is the planning proposal consistent with the objectives and actions of the application regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?.....	11
Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?	12
Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?	12
Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?	13
1.1 Business and Industrial Zones.....	13
Objectives.....	13
Where this direction applies.....	13
When this direction applies	13
What a relevant planning authority must do if this direction applies	13
Consistency	13
2.1 Environment Protection Zones.....	14
Objective	14

Where this direction applies.....	14
When this direction applies.....	14
What a relevant planning authority must do if this direction applies	14
Consistency.....	14
2.3 Heritage Conservation.....	14
Objective	14
Where this direction applies.....	15
When this direction applies.....	15
What a relevant planning authority must do if this direction applies	15
Consistency.....	15
3.4 Integrating Land Use and Transport	15
Objective	15
Where this direction applies.....	16
When this direction applies.....	16
What a relevant planning authority must do if this direction applies	16
Consistency.....	16
6.1 Approval and Referral Requirements.....	16
Objective	16
Where this direction applies.....	16
When this direction applies.....	16
What a relevant planning authority must do if this direction applies	16
Consistency.....	17
6.3 Site Specific Provisions	17
Objective	17
Where this direction applies.....	17
When this direction applies.....	17
What a relevant planning authority must do if this direction applies	17
Consistency.....	17
Section C – Environmental, social and economic impact.....	19
Q7. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?.....	19
Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	19

Introduction

Background

This Planning Proposal contains the justification for a proposed amendment to the draft Ku-ring-gai Local Environmental Plan 2013 (KLEP 2013) to list the former 3M Building at 950 Pacific Highway, Pymble (Lot 1 DP 718718) as a local heritage item.

This Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and NSW Department of Planning and Infrastructure (DP&I), *A guide to preparing planning proposals*, October 2012.

Arising from the exhibition of the Draft Ku-ring-gai Local Environmental Plan 2013 Ku-ring-gai Council received a number of submissions in relation to the subject property requesting and/or supporting its listing as a heritage item. The relevant submissions were as follows:

- The Twentieth Century Heritage Society of NSW Inc. made a submission on 6 August 2013 supporting the inclusion of the site in Council's LEP as an item of environmental heritage.¹
- The Australian Institute of Architects made a submission dated 26 August 2013 supporting the inclusion of the site in Council's LEP as an item of environmental heritage.²
- The National Trust of Australia (NSW) also sent a letter dated 23 August 2013 notifying council of the listing of the site on the Register of the National Trust.³
- Additionally, the Friends of Pymble have made a number of submissions both at this time⁴ (7 August 2013) and as part of previous exhibitions for the Pymble Business Park LEP⁵ and DCP⁶.

In considering the submissions arising from the exhibition of *Ku-ring-gai Draft Local Environmental Plan 2013*, Ku-ring-gai Council resolved on 27 August 2013 to commission an independent study of the site to determine its heritage significance which was reported to Council in December 2013.

At the Ordinary Meeting of Council on 10th December 2013, Council resolved:

- That a Planning Proposal be prepared, in accordance with section 55 of the Environmental Planning and Assessment Act, 1979, to amend Draft Ku-ring-gai Local Environmental Plan 2013 by listing 950 Pacific Highway, Pymble (Lot 1 DP718718) Schedule 5 as a heritage item of local significance.*
- That the Planning Proposal be submitted to the Department of Planning and Infrastructure for a Gateway Determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.*
- That Council request the plan-making delegation under Section 23 of the EP&A Act for this planning proposal*

¹ Record Number: [2013/206371](#)

² Record Number: [2013/221090](#)

³ Record Number: [2013/238726](#)

⁴ Record Number: [2013/206412](#)

⁵ Record Number: [2012/110766](#)

⁶ Record Number: [2013/053538](#)

Q9. Has the planning proposal adequately addressed any social and economic effects?.....	19
Section D – State and Commonwealth Interests.....	20
Q10. Is there adequate public infrastructure for the planning proposal?.....	20
Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?	20
Part 4 – Mapping.....	21
The land the subject of the planning proposal.....	21
Current land use zone(s) applying to the land.....	21
Current development standards relating to the land (FSR, height, minimum lot size).	22
The proposed alternative zone (if applicable)	23
A map illustrating the extent of the proposed revised development standard (if applicable)	24
Other relevant maps / figures (proposed heritage conservation area, location of heritage item, extend of environmental conservation area, area to which local provision will apply and the like).....	24
Aerial photographs	24
Part 5 – Community Consultation.....	25
Proposed Community Consultation Strategy	25
Part 6 – Project Timeline	25
Conclusion.....	25
Appendices.....	27
Appendix One: Council Resolution Ordinary Council Meeting of 10 December 2013	29
Appendix Two: Report to the Ordinary Council Meeting of 10 December 2013	31
Appendix Three: Heritage Assessment Report - John Oultram Heritage and Design	39
Appendix Four: Draft Heritage Listing Sheet – John Oultram Heritage and Design	32

Existing Planning controls

The site is currently zoned B7 Business Park under Ku-ring-gai Local Environmental Plan 219 (Pymble Business Park) which amends the Ku-ring-gai Planning Scheme Ordinance. However it is the subject of a draft exhibited principal LEP entitled Draft KLEP 2013. As this instrument is expected to be imminently made, this planning proposal has been prepared to relate to the draft LEP.

Part One – Objectives or Intended Outcomes

Objectives

The objective of this planning proposal is to list 950 Pacific Highway, Pymble, as an item of local significance on the draft KLEP 2013.

Proposed Planning Controls

The zoning and site controls are not proposed to change as a result of this planning proposal. The sole intent of the planning proposal is to add the property as an item on Environmental Heritage to Schedule 5.

Part Two – Explanation of Provisions

Explanation of the provisions

This planning proposal seeks to amend Schedule 5 Environmental Heritage as follows:

Suburb	Item name	Address	Property description	Significance
Pymble	Former 3M Building	950 Pacific Highway	Lot 1 DP 718718	Local

This planning proposal will result in the amendment of the following map: **Draft Ku-ring-gai Local Environment Plan 2013 – Heritage Map – Sheet HER_011** by colouring the subject property so as to indicate a Heritage Item – General

D. That upon receipt of a Gateway Determination, the exhibition and consultation process is carried out in accordance with the requirements of the Environmental Planning and Assessment Act, 1979 and with the Gateway Determination requirements.

E. That a report be brought back to Council at the end of the exhibition processes.

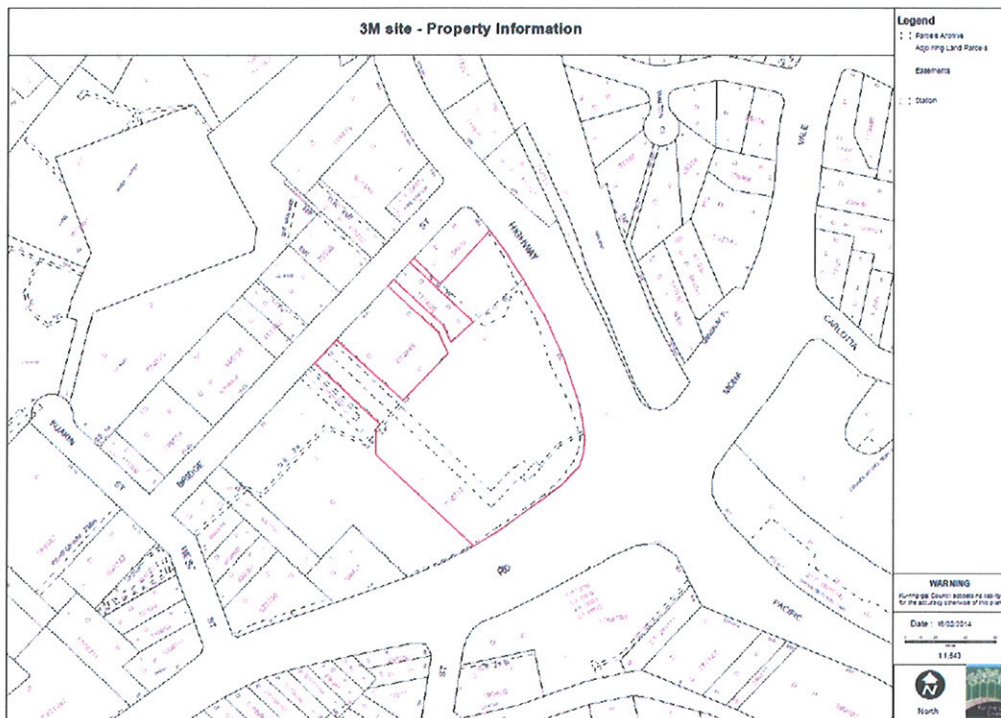
The resolution and report to the Ordinary Meeting of Council on 10 December 2013 are included at Attachments 1 and 2.

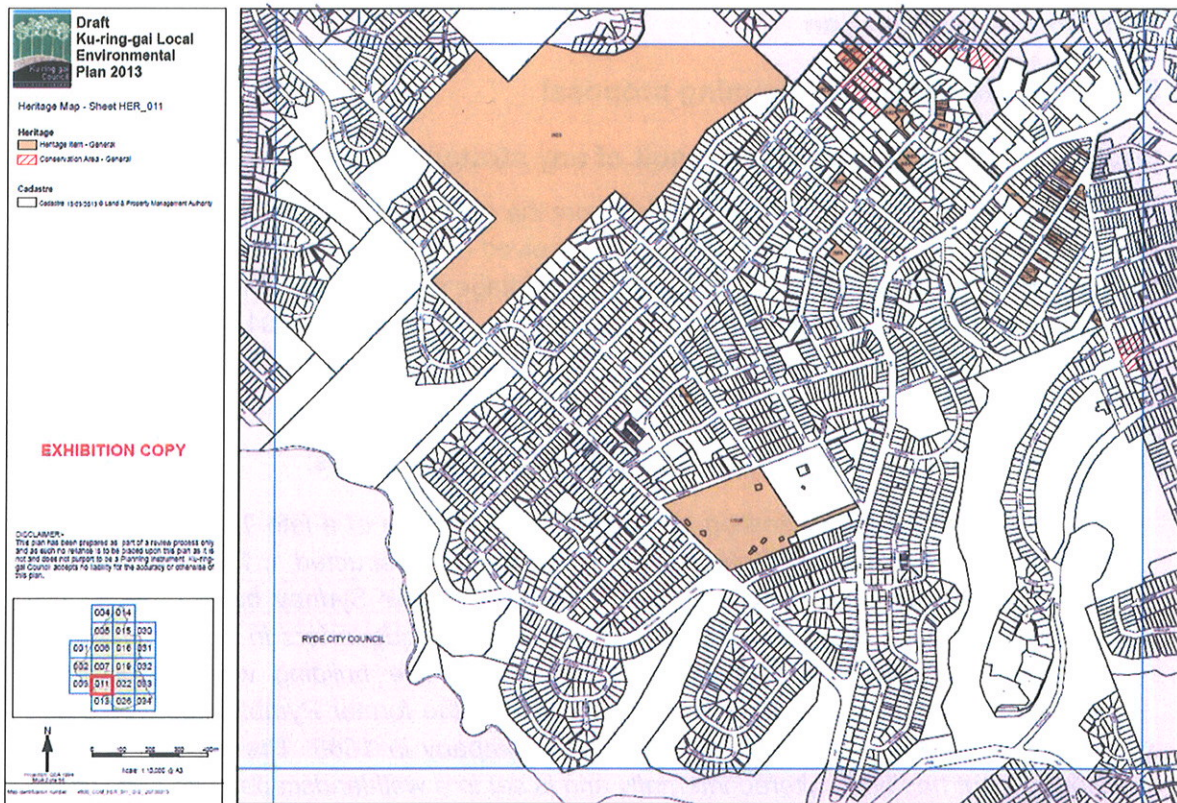
Site Description and Location

The property the subject of this planning proposal is the former 3M Building located at 950 Pacific Highway Pymble being Lot 1 DP 718718.

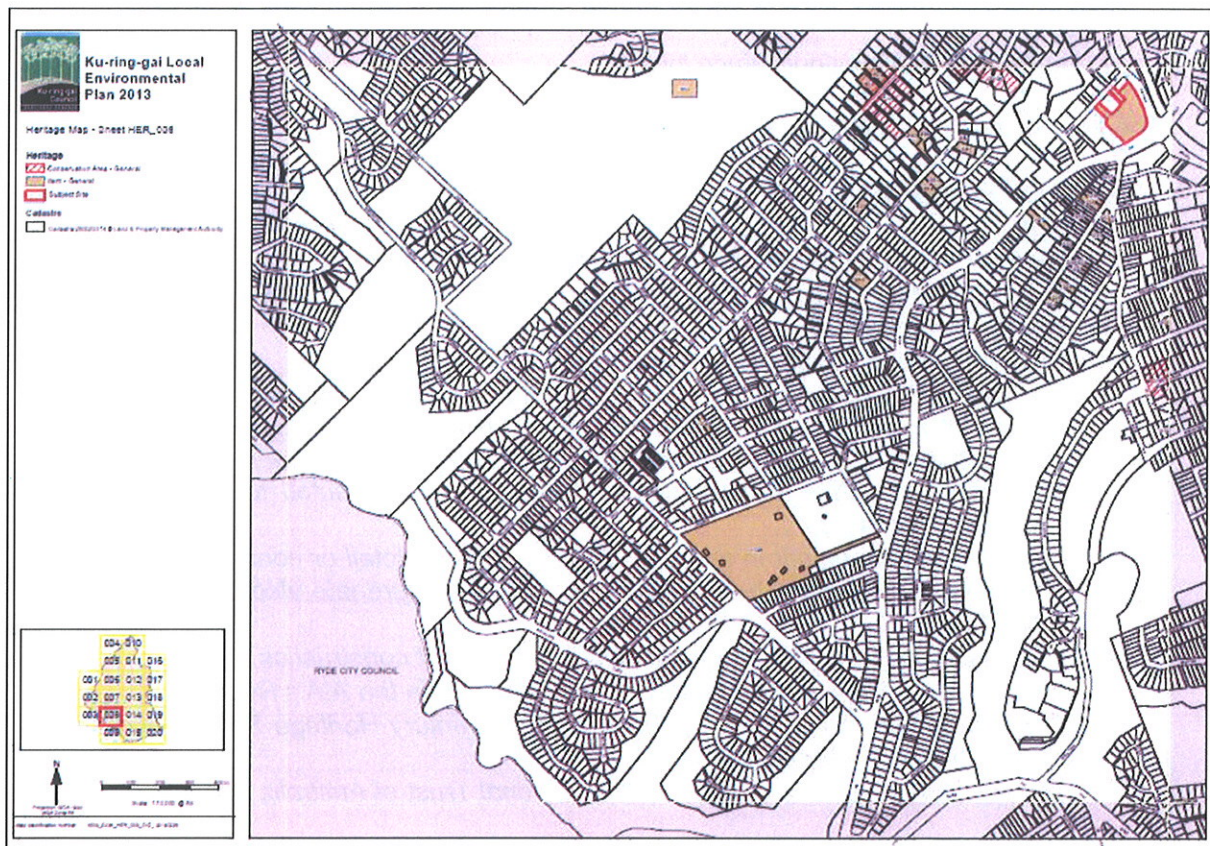
The property is located within the Pymble Business Park at the corner of the Pacific Highway and Ryde Road. Vehicular access to the property is from Bridge Street Pymble.

Photographs of the building are included within the Heritage Assessment Report included at Attachment Three.





The property is shown in the top right hand corner of the map below shaded: Heritage Item – General



Part Three - Justification

Section A - Need for the planning proposal

Q1. Is the planning proposal a result of any strategic study or report?

Yes. In considering the submissions arising from the exhibition of *Ku-ring-gai Draft Local Environmental Plan 2013*, Ku-ring-gai Council resolved on 27 August 2013 to commission an independent study of the site to determine its heritage significance. The Heritage Assessment of the Site was formally commissioned on 19 September 2013 by John Oultram Heritage and Design and dated October 2013 which is attached at Appendix Three⁷. Details of the findings are outlined in Section C.

The Summary Statement of Heritage Significant is quoted as follows:

The 3M Building is an interesting and locally rare example of a late Twentieth Century office building in the International style that was constructed c.1967 for the 3M (Minnesota Mining and Manufacturing) Company as their Sydney headquarters. The building is an early example of a high rise company headquarters in Ku-ring-gai in an area that was zoned for residential development. The building was designed by architects Hanson Todd and Partners on the site of the former Pymble Gas works that was established by the Australian Gas Light Company in 1888. The building is intact externally but has been altered internally and is set in a well-landscaped site that retains much of the original setting of the building. The building represents the establishment of the 3M Company in Australia was a landmark development for the company reflecting their corporate strength and remained as their headquarters for over forty years. It is likely to have special associations for former employees and is a local landmark.

The building is of high significance locally.

The key findings of the Heritage Assessment are summarised below.

- *Though further research is required to confirm this, the building is likely the first International style, high rise building in Ku-ring-gai. It represents the beginnings of the Post-war, large scale, commercial development in the LGA.*
- *It is a well-designed and relatively intact, representative example of the International style.*
- *Retains much of the original setting ... and is a local landmark.*
- *The gasholder [pre-1943] was to the south of the site and may be outside the current lot boundary of the 3M complex. The level of development and any site remediation may preclude there being any underground remains [Note that the study does not state if these potential remains are expected to be significant or common in Sydney].*
- *It is not a seminal work in terms of its style, layout, detail or construction methods. The use of precast concrete panels with exposed aggregate also became common in the 1960s.*
- *The study notes the lack of recognition at the time of construction.*
- *The site is currently being considered for inclusion on the AIA's Register.*
- *The site has been identified by the Twentieth Century Heritage Society of NSW as an item of cultural heritage.*
- *The site is listed on the Register of the National Trust of Australia (NSW).*

⁷ Record Number: [2013/308221](#)

- A 'total internal refurbishment' designed by Architects Devine Erby Mazlin, was undertaken in c1989. This involved the demolition of all interior partitions and finishes. The plans retained much of the internal layout of offices and open plan areas through the entry foyer were enclosed and the central halls altered. The existing internal partitions are generally modern...Only one lavatory and the stairs appear intact. The extant detail is not distinctive and uses materials common at the time.

The Heritage Inventory Sheet prepared by John Oultram Heritage & Design, is included at Attachment 4.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. Given Council's recent consideration of the draft KLEP 2013, this approach to include an additional heritage item is considered appropriate to meet Council's requirements and objectives to protect Ku-ring-gai's heritage.

Section B - Relationship to the Strategic Planning Framework

Q3. Is the planning proposal consistent with the objectives and actions of the application regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The relevant subregional strategy is the exhibited Draft Metropolitan Strategy for Sydney to 2031 (March 2013) and the North subregion thereunder.

Balanced growth

The retention of this commercial building is not inconsistent with the objectives of the balanced growth strategy for Sydney. Ku-ring-gai has in place plans for balanced growth to achieve its current housing and employment targets.

A liveable city

The retention of an existing commercial building in a Business Park is not inconsistent with this objective.

Productivity and prosperity

Ku-ring-gai is confident it can meet its employment targets under the strategy while retaining this particular site as a heritage item and, therefore, the proposal is not inconsistent with this objective.

Healthy and resilient environment

The retention of this existing commercial site does not involve disturbing ground that may have been used for other industrial purposes in the past. It is not in an ecologically sensitive area.

Accessibility and connectivity

The existing commercial building is well served by the road and rail network. The planning proposal does not alter this status.

Subregions – North

The Pymble Business Park is not a major centre under the North Subregional strategy. The retention of an existing commercial building will not have a significant impact on the realisation of development potential in this precinct.

Strategic Merit

The site is an iconic local building, representative of mid-20th century commercial architecture and located in a prominent corner site at the intersection of two major roads. The planning proposal seeks to retain the building for adaptive reuse as part of Ku-ring-gai's character.

Site Specific Merit

The siting of a classic mid-20th Century curving commercial building within grounds is unusual in Ku-ring-gai and worthy of retention and adaptive re-use. The retention of this building may reduce the overall yield achievable from the redevelopment of the site depending on the degree of retention of the building's curtilage however there remains scope for additional floorspace to be achieved within the site as a whole.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Ku-ring-gai Community Strategic Plan is called *Our Community. Our Future. Community Strategy 2030*. The protection of an item of local architectural and cultural heritage is consistent with the vision and objectives of this document.

The planning proposal seeks to amend the current Draft KLEP 2013 to add the item to Schedule 5 Environmental Heritage. This inclusion is consistent with the aim of the Draft LEP especially:

(2) *The particular aims of this Plan are as follows:*

- (a) *to guide the future development of land and the management of environmental, social, economic, heritage and cultural resources within Ku-ring-gai*
- (f) *to recognize, protect and conserve Ku-ring-gai's indigenous and nonindigenous cultural heritage.*

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The following State Environmental Planning Policies are relevant to this Planning Proposal:

SEPP	Title	Consistency
SEPP 55	Remediation of land	Yes.
SEPP 64	Advertising and Signage	Yes.
SEPP 22	Shops and Commercial Premises	Yes.
SEPP 19	Bushland in Urban Areas	Yes.
SEPP 4	Development without Consent and Miscellaneous Complying Development	Yes.
Infrastructure SEPP	Infrastructure	Yes.
Sydney Regional Environmental Plan	(Sydney Harbour Catchment) 2005	Yes.

Compliance and consistency with the relevant SEPPs would be assessed at the time of any Development Application for the site.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table includes only the applicable and relevant Ministerial Directions together with a statement of consistency and supporting arguments if required.

Applicable s117 Direction	Consistency of the Planning Proposal and Comments
1. Employment and Resources 1.1 Business and Industrial Zones Objectives (1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). What a relevant planning authority must do if this direction applies (4) A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning. Consistency (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study (prepared in support of the planning proposal) which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance. Note: In this direction, "identified strategic centre" means a centre that has been identified as a strategic centre in a regional strategy, sub-	The planning proposal is not inconsistent with the Direction. The planning proposal does not change the zoning or development controls applicable to the site. Retention of the heritage building may inhibit the achievement of the height and floor space potential of the site however the site also includes areas of vacant land and it is possible that an architectural solution could be explored that would maximise floorspace potential without detracting from the proposed heritage item. This challenge must be weighed against the benefit of retaining an architecturally and culturally significant industrial building of the twentieth century.

regional strategy, or another strategy approved by the Director General. Direction 1.1 – issued 1 July 2009	
2. Environment and Heritage 2.1 Environment Protection Zones Objective (1) The objective of this direction is to protect and conserve environmentally sensitive areas. Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal. What a relevant planning authority must do if this direction applies (4) A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas. (5) A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands". Consistency (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: i. gives consideration to the objectives of this direction, ii. identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and iii. is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objectives of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) is of minor significance. Direction 2.1 – issued 1 July 2009	Consistent. The subject site is not in an environmentally sensitive area.
2. Environment and Heritage 2.3 Heritage Conservation Objective (1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	The Planning Proposal is consistent with the Planning Direction. The purpose of the Planning Proposal is to protect an item of environmental heritage.

Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal. What a relevant planning authority must do if this direction applies (4) A planning proposal must contain provisions that facilitate the conservation of: (a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area, (b) Aboriginal objects or Aboriginal places that are protected under the <i>National Parks and Wildlife Act 1974</i>, and (c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people. Consistency (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that: (a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or (b) the provisions of the planning proposal that are inconsistent are of minor significance. Note: In this direction: "conservation", "environmental heritage", "item", "place" and "relic" have the same meaning as in the <i>Heritage Act 1977</i>. "Aboriginal object", "Aboriginal area" and "Aboriginal place" have the same meaning as in the <i>National Parks and Wildlife Act 1974</i>. Heritage conservation is covered by a compulsory clause in the Standard Instrument (Local Environmental Plans) Order 2006. A LEP that adopts the Standard Instrument should identify such items, areas, objects or places of environmental heritage significance or indigenous heritage significance as are relevant to the terms of this direction on the Heritage Map and relevant Schedule of the LEP. Direction 2.3 – issued 1 July 2009	
3. Housing, Infrastructure and Urban Development 3.4 Integrating Land Use and Transport Objective (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by	Consistent. At this stage of the planning proposal, the appropriate State and Commonwealth agencies have not yet been identified and consultation will take place as directed by the Gateway. The addition of an existing structure to a heritage schedule does not alter the present relationship between the existing development and the transport network.

development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. What a relevant planning authority must do if this direction applies (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001). Consistency (5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are: (a) justified by a strategy which: (i) gives consideration to the objective of this direction, and (ii) identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), and (iii) is approved by the Director-General of the Department of Planning, or (b) justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or (c) in accordance with the relevant Regional Strategy or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or (d) of minor significance. Direction 3.4 – issued 1 July 2009	
6. Local Plan Making 6.1 Approval and Referral Requirements Objective (1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development. Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal. What a relevant planning authority must do if this direction applies (4) A planning proposal must: (a) minimise the inclusion of provisions that require the concurrence, consultation or referral of development	Consistent. This planning proposal would result in the building becoming a local heritage item but not a State Heritage Item.

Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the planning proposal that are inconsistent are of minor significance.

Direction 6.3 – issued 1 July 2009

7. Metropolitan Planning

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Objective

(1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.

Where this direction applies

(2) This direction applies to land comprising of the following local government areas:

Ashfield

Auburn

Bankstown

Baulkham Hills

Blacktown

Blue Mountains

Botany Bay

Burwood

Camden

Campbelltown

Canada Bay

Canterbury

City of Sydney

Fairfield

Hawkesbury

Holroyd

Hornsby

Hunters Hill

Hurstville

Kogarah

Ku-ring-gai

Lane Cove

Leichhardt

Liverpool

Manly

Marrickville

Mosman

North Sydney

Parramatta

Penrith

Pittwater

Randwick

Rockdale

Ryde

Strathfield

Sutherland

Warringah

Waverley

Willoughby

Wollondilly

Woolahra

When this direction applies

(3) This direction applies when a Relevant Planning Authority prepares a planning proposal.

What a Relevant Planning Authority must do if this direction applies

(1) Planning proposals shall be consistent with:

(a) the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").

Consistency

(5) A planning proposal may be inconsistent with the terms of this direction only if the Relevant Planning Authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), that the extent of inconsistency with the Metropolitan Plan:

(a) is of minor significance, and

(b) the planning proposal achieves the overall intent of the Plan and does not undermine the achievement of its vision, land use strategy, policies, outcomes or actions.

Direction 7.1 – issued 1 February

The planning proposal is not inconsistent with the Direction.

The planning proposal does not change the zoning or development controls applicable to the site.

Retention of the heritage building may inhibit the achievement of the height and floor space potential of the site however the site also includes areas of vacant land and it is possible that an architectural solution could be explored that would maximise floorspace potential without detracting from the proposed heritage item. This challenge must be weighed again the benefit of retaining an architecturally and culturally significant industrial building of the twentieth century.

applications to a Minister or public authority, and (b) not contain provisions requiring concurrence, consultation or referral of a Minister or public authority unless the relevant planning authority has obtained the approval of: (i) the appropriate Minister or public authority, and (ii) the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General), prior to undertaking community consultation in satisfaction of section 57 of the Act, and (c) not identify development as designated development unless the relevant planning authority: (i) can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the class of development is likely to have a significant impact on the environment, and (ii) has obtained the approval of the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) prior to undertaking community consultation in satisfaction of section 57 of the Act. Consistency (5) A planning proposal must be substantially consistent with the terms of this direction. Note: In this direction "public authority" has the same meaning as section 4 of the Environmental Planning and Assessment Act 1979. Direction 6.1 – issued 1 July 2009	
6. Local Plan Making 6.3 Site Specific Provisions Objective (1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. Where this direction applies (2) This direction applies to all relevant planning authorities. When this direction applies (3) This direction applies when a relevant planning authority prepares a planning proposal that will allow a particular development to be carried out. What a relevant planning authority must do if this direction applies (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal. Consistency (6) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the	Consistent. This Planning Proposal is not for the purpose of facilitating a particular development proposal. It relates solely to the heritage listing of a new item of environmental heritage.

Section C – Environmental, social and economic impact

Q7. Is there any likelihood that critical habitat or threatened species, population or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The Planning Proposal is for the purposes of retaining an existing building.

Ku-ring-gai Council has extensively mapped areas of ecological significance including areas of biodiversity and riparian lands, as part of the principal LEP process that led to the preparation and exhibition of *Draft Ku-ring-gai Local Environmental Plan 2013*. The subject site is not identified as having either critical habitat or threatened species thereon however it does have minor bio-significance by virtue of adjoining identified sites under DRAFT KLEP 2013. This planning proposal is solely for the purpose of identifying the current building as an item of local environmental heritage and this proposal will not have an adverse effect.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

There are no additional environmental effects envisaged as a result of heritage listing the current property. However prior to the construction of the current building circa 1967, land in the vicinity of the building near the corner of the Pacific Highway and Ryde Road / Lane Cove Road had been used for the purposes of a gasworks. Any disturbance or redevelopment of the site would be likely to require environmental assessment and management.

Q9. Has the planning proposal adequately addressed any social and economic effects?

Social Effects: Heritage

The purpose of the planning proposal is to safeguard the retention of an item of local architectural and cultural heritage.

Economic Effects

The property is currently zoned under *the Ku-ring-gai Planning Scheme Ordinance* as amended by *Ku-ring-gai Local Environment Plan 219 (Pymble Business Park)* zoning the land B7 Business Park. That zoning will be retained under the exhibited *Draft Ku-ring-gai Local Environmental Plan 2013*. A maximum floor space ratio of 3.5:1 and a height limit of 32.5 metres will also apply to the site.

The site is 1.74ha (17,400metres) in area including two battle-axe driveways to Bridge Road and that part of the property that fronts 12 Bridge Road, Pymble.

In theory, the total site could, potentially accommodate a gross maximum of 60,900sqm of commercial floorspace however the practical achievement of this quantum would be impacted by the irregular shape of the block and requirements articulated by the applicable Development Control Plan. The present building that is the subject of the proposal heritage listing provides for a total of 50000ft² of floorspace which converts to a metric area of 4,645.2m². It should be noted, however, that the existing building is set in extensive

grounds and the proposed heritage building could be adaptively incorporated as part of a larger complex realising additional floorspace.

Section D – State and Commonwealth Interests

Q10. Is there adequate public infrastructure for the planning proposal?

The planning proposal relates to the heritage listing of an existing building. No additional demand for public infrastructure is anticipated as a consequence of this listing.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

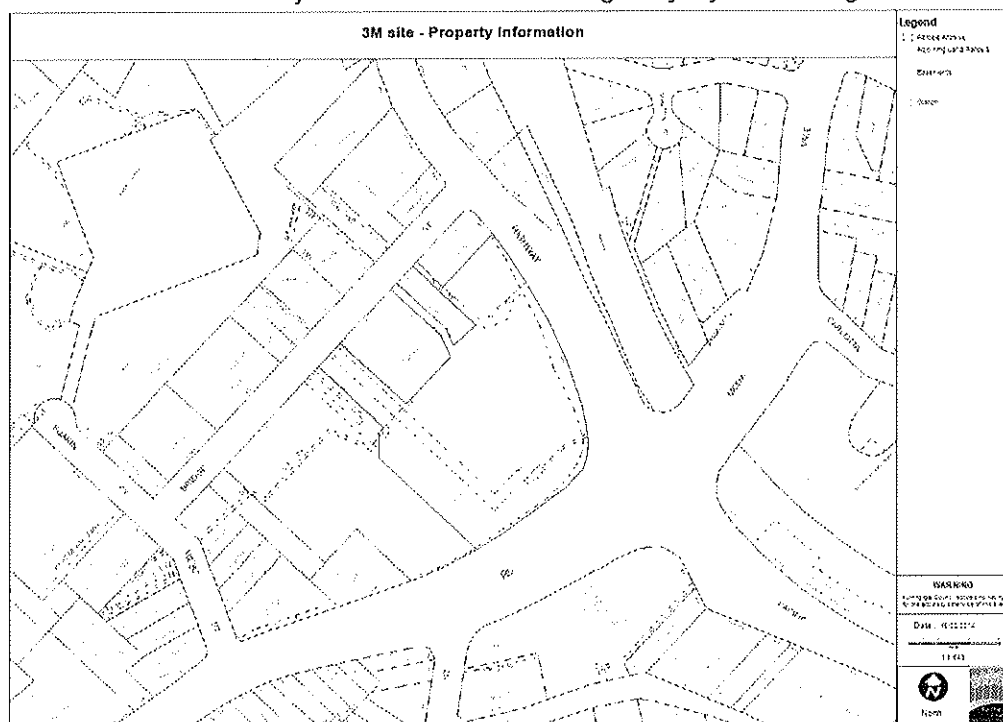
This planning proposal relates to the retention of an existing heritage item and arises from the public exhibition process of the Draft KLEP 2013. No separate consultation with state and Commonwealth public authorities has taken place prior to the submission of this planning proposal for Gateway. However Council would undertake to consult with any agencies nominated by the Department of Planning and Infrastructure as part of the issuing of a Gateway.

Council will seek the plan making delegation under Section 23 of the *Environmental Planning and Assessment Act* to finalise the Planning Proposal. This involves Council taking on the Director General's function under s59(1) of the EP&A Act in liaising with the Parliamentary Counsel's Office (PCO) to draft the required local environmental plan to give effect to the Planning Proposal as well the Minister's function under s59(2) of the EP&A Act in making the Plan.

Part 4 – Mapping

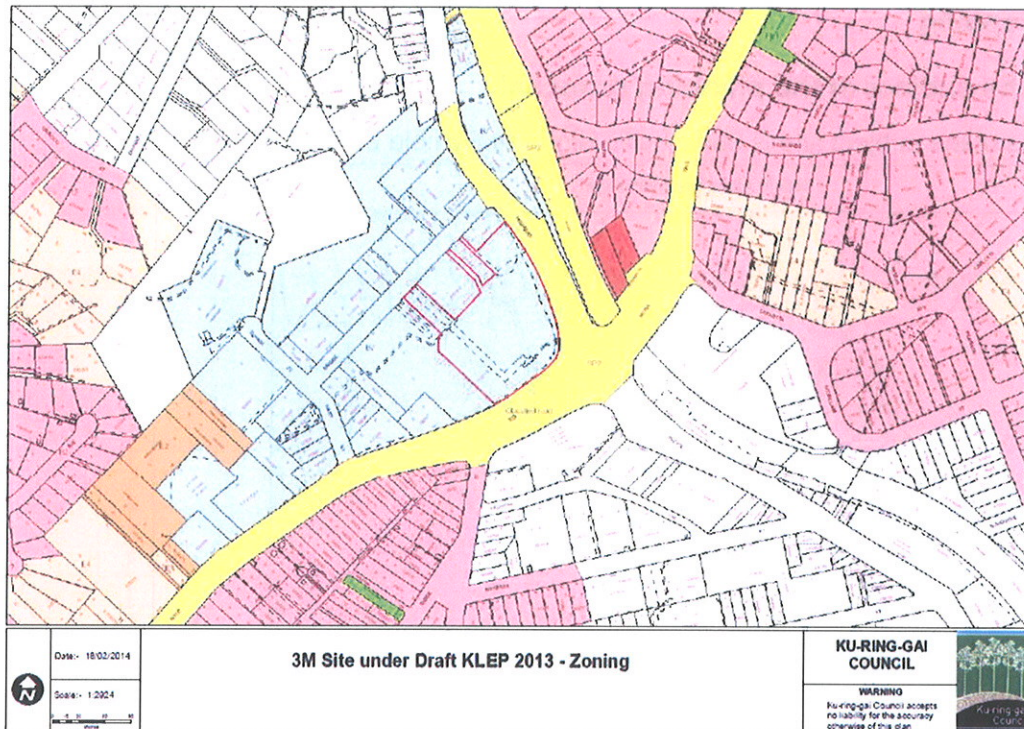
The land the subject of the planning proposal

The address of the subject site is 950 Pacific Highway Pymble being Lot 1 DP 718718.



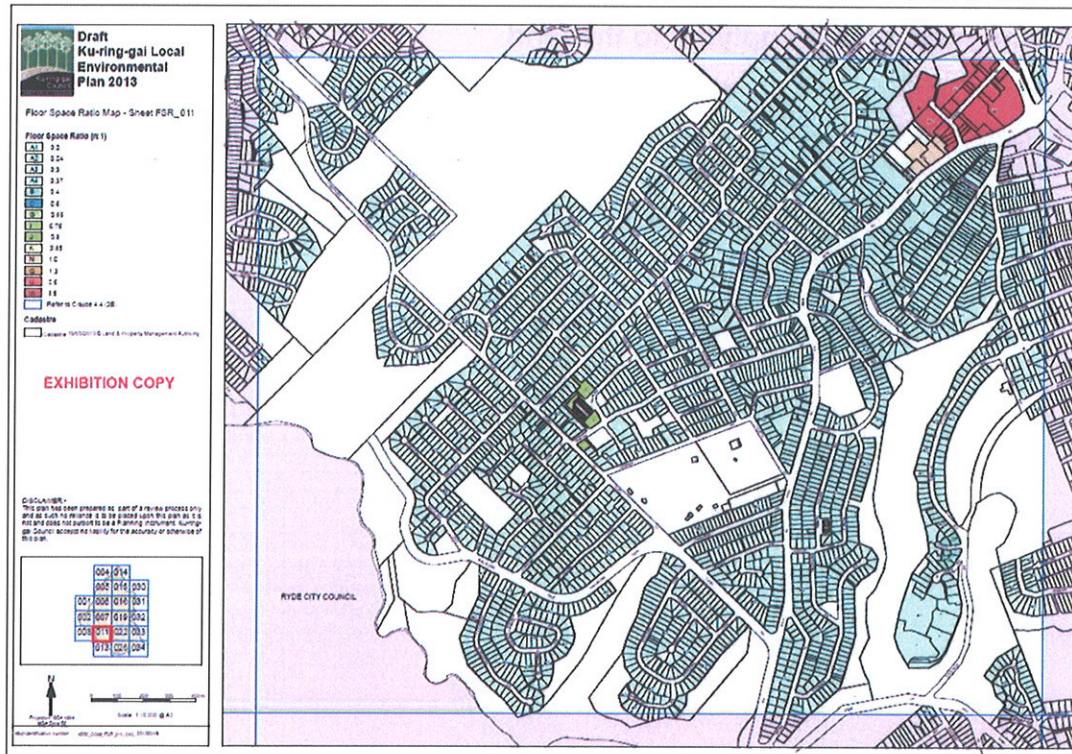
Current land use zone(s) applying to the land

The property is currently zoned under the *Ku-ring-gai Planning Scheme Ordinance* as amended by *Ku-ring-gai Local Environment Plan 219 (Pymble Business Park)* zoning the land B7 Business Park. However the property is also affected by an exhibited Draft Local Environmental Plan being *Draft KLEP 2013*. The proposed zoning of B7 Business Park is retained in the map below:

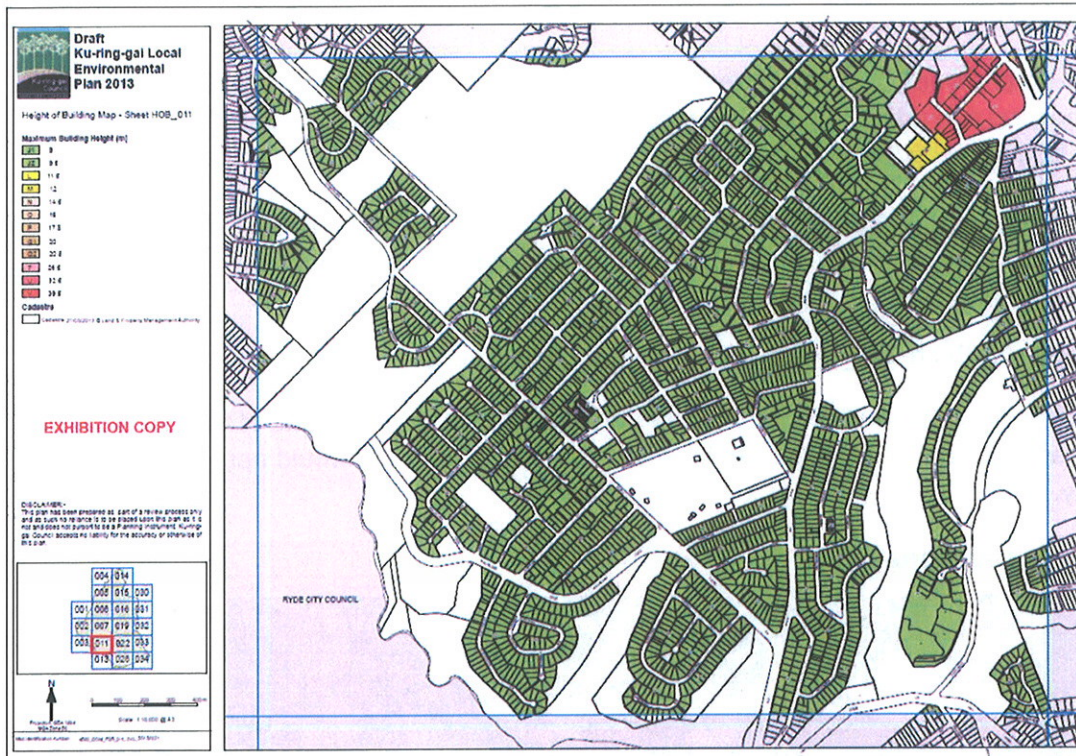


Current development standards relating to the land (FSR, height, minimum lot size)

The maximum floor space ratio applicable to the site under Draft KLEP 2013 is 3.5:1



The maximum building height applicable to the subject site is 32.5 metres.



A map illustrating the extent of the proposed revised development standard (if applicable)

There is no proposed change to the development standards under this planning proposal. The proposed amendment to the Heritage Schedule is intended to relate to this property only as illustrated by the red outline in this series of maps.

Other relevant maps / figures (proposed heritage conservation area, location of heritage item, extend of environmental conservation area, area to which local provision will apply and the like)

The location of the heritage item is best illustrated by the aerial photo below.

The setting including driveway and curtilage are important to the context of the building and is an integral part of its heritage significance. The heritage listing would apply to the whole property.

Aerial photographs



Source: Dekho: Aerial Photo date: June 2011

Historical aerial photographs are included within the Heritage Assessment report at Attachment 3.

Part 5 – Community Consultation

Proposed Community Consultation Strategy

This planning proposal arises as a direct result of submissions made during the public exhibition period of the Draft Ku-ring-gai LEP 2013.

Where relevant the Planning Proposal has been referred to relevant internal sections of Council.

If the planning proposal submitted is supported by the NSW State Government, the draft plan will be placed on public exhibition in accordance with the DP&I's Gateway Determination requirements. This will involve seeking further State agency, stakeholder and general community feedback prior to being reported back to Council.

Part 6 – Project Timeline

Indicative timeline for the Planning Proposal for the Heritage Listing of 950 Pacific Highway Pymble (assuming plan-making delegation under s23 of the *Environmental Planning and Assessment Act* is granted):

Stage	Start	End
Planning Proposal lodged for Gateway determination	28/02/2014	28/02/2014
Gateway anticipated	< 28/03/2014	TBA
Agency consultation (if applicable)*	31/03/2014	21/04/2014
Advertising – Local Press	02/05/2014	02/05/2014
Exhibition for 28 days	02/05/2014	02/06/2014
Assessment of submissions	02/06/2014	13/06/2014
Report to Council	09/06/2014	13/06/2014
Council Adoption	15/07/2014	15/07/2014
Plan Making / Completion	16/07/2014	01/08/2014
Notification	01/08/2014	01/08/2014
* If additional agency consultation is not required, the following timeframes can be shortened by 3 weeks. OMC are scheduled on 27/05/2014; 10/06/2014; 24/06/2014;15/07/2014 and 29/07/2014.		

Conclusion

This planning proposal gives effect to the resolution of Ku-ring-gai Council arising from consideration of, firstly submissions in respect of the exhibition of the *Draft Ku-ring-gai LEP 2013* that supported the heritage value of the subject property and, secondly, following receipt and consideration of the Heritage Assessment Report prepared by John Oultram Heritage and Design.

