

Proposed amendment to Zoning, Height and FSR at the Lindfield Hub Site

Proposal Title :	Proposed amendment to Zoning, Height and FSR at the Lindfield Hub Site		
Proposal Summary :	To amend the zoning, height of building and floor space ratio controls relating to land identified as the Lindfield Community Hub, Lindfield. The proposal also seeks the removal of land identified for land acquisition.		
PP Number :	PP_2016_KURIN_005_00	Dop File No :	16/05698

Proposal Details

Date Planning Proposal Received :	24-May-2016	LGA covered :	Ku-Ring-Gai
Region :	Metro(Parra)	RPA :	Ku-ring-gai Council
State Electorate :	DAVIDSON	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	2-12 Bent Street		
Suburb :	Lindfield	City :	Lindfield
Land Parcel :			Postcode : 2070
Street :	18 Beaconsfield Parade		
Suburb :	Lindfield	City :	Lindfield
Land Parcel :			Postcode : 2070
Street :	19 Drovers Way		
Suburb :	Lindfield	City :	Lindfield
Land Parcel :			Postcode : 2070
Street :	1 Woodford Lane		
Suburb :	Lindfield	City :	Lindfield
Land Parcel :			Postcode : 2070

DoP Planning Officer Contact Details

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South West subregion	Consistent with Strategy :	Yes
MDP Number :		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) :	95
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 :

External Supporting
Notes : **Department officers contacted Council on 24 May 2016 in regards to the classification of
land at Bent St and 1 Woodford Lane (the land identified as land reserved for acquisition).
Council confirmed its classification as Operational.**

**The planning proposal is to be amended to clarify the classifications relating to the subject
land, being operational land.**

Adequacy Assessment

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

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

Comment : The Planning Proposal seeks approval for the amendment of the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 to modify the zoning, height and FSR of land parcels within the Lindfield Hub site to facilitate the implementation of the Council adopted Lindfield Community Hub Masterplan. The proposal also seeks the removal of land identified for land acquisition on the Land Reservation Acquisition Map.

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

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

Comment : Amend the Ku-ring-gai Local Environmental Plan (Local Centres) 2012 as follows:

1. Modification to the Zoning Map

- to rezone the following sites to B2 Local Centre as listed below and illustrated in Part 4 Mapping of this Planning Proposal:

Address-Lot-DP	ZONING	
	Existing	Proposed
1 Woodford Lane		
Lot A DP 445535	RE1 Public Recreation	B2 Local Centre
2 Bent St		
Lot 9 DP 1090427	RE1 Public Recreation	B2 Local Centre
4 Bent St,		
Lot 10 DP 3498	RE1 Public Recreation	B2 Local Centre
6 Bent St		
Lot 3 DP 667420	RE1 Public Recreation	B2 Local Centre
8 Bent St		
Lot 1 DP 724823	RE1 Public Recreation	B2 Local Centre
10 Bent St		
Lot 1 DP 980108	RE1 Public Recreation	B2 Local Centre
12 Bent St		
Lot 5 DP 666521		
	(split zoning)	
	RE1 Public Recreation - 50m2, to B2 Local Centre	
	SP2 Local Road - 545m2, to B2 Local Centre	
	R4 High Density Residential - 490m2, to R4 (No change)	

2. Modification to the Height Map

- to increase the maximum height as listed below and illustrated in Part 4 Mapping of this Planning Proposal:

Address-Lot-DP	HEIGHT	
	Existing	Proposed
1 Woodford Lane		
Lot A DP 445535	nil	T - 26.5m
2 Bent St		
Lot 9 DP 1090427	nil	T - 26.5m
4 Bent St		
Lot 10 DP 3498	nil	T - 26.5m
6 Bent St		
Lot 3 DP 667420	nil	T - 26.5m
8 Bent St		
Lot 1 DP 724823	nil	T - 26.5m
10 Bent St		
Lot 1 DP 980108	nil	T - 26.5m
12 Bent St		

Lot 5 DP
666521

(split heights)

RE1 P Area 1 - 17.5m T - 26.5m

SP2 P Area 1 - 17.5m T - 26.5m

R4 P Area 1 - 17.5m P Area 1 - 17.5m (No change)

1B Beaconsfield Parade

Lot 1 DP 929131 L - 11.5m T - 26.5m

19 Drovers Way

Lot 1-16 DP 1099330 L - 11.5m T - 26.5m

Drovers Way L - 11.5m T - 26.5m

Woodford Lane

Part adjacent to 2 Bent St

only nil T - 26.5m

Remainder of

roadway L - 11.5m T - 26.5m

3. Modification to the Floor Space Ratio (FSR) Map

- to increase the FSR as listed below and illustrated in Part 4 Mapping of this Planning Proposal:

Address-Lot-DP	FSR	
	Existing	Proposed
1 Woodford Lane		
Lot A DP 445535	nil	Q - 1.3:1
2 Bent St		
Lot 9 DP 1090427	nil	Q - 1.3:1
4 Bent St		
Lot 10 DP 3498	nil	Q - 1.3:1
6 Bent St		
Lot 3 DP 667420	nil	Q - 1.3:1
8 Bent St		
Lot 1 DP 724823	nil	Q - 1.3:1
10 Bent St		
Lot 1 DP 980108	nil	Q - 1.3:1
12 Bent St		
Lot 5 DP 666521		
(split FSR)		
RE1 Q Area 5 - 1.3:1	Q - 1.3:1	
SP2 Q Area 5 - 1.3:1	Q - 1.3:1	
R4 Q Area 5 - 1.3:1	No change (Q Area 5 - 1.3:1)	

1B Beaconsfield Parade

Lot 1 DP 929131 N - 1.0:1 Q - 1.3:1

19 Drovers Way

Lot 1-16 DP 1099330 N - 1.0:1 Q - 1.3:1

Drovers Way N - 1.0:1 Q - 1.3:1

Woodford Lane N - 1.0:1 Q - 1.3:1

4. Modification to the Land Reservation Acquisition Map

- to delete the reservation for Public Recreation (RE1), and reservation for Local Road (SP2) applying to the land as listed below and illustrated in Part 4 Mapping of this Planning Proposal:

Address-Lot-DP
2-10 Bent Street
Lot 9 DP 1090427
Lot 10 DP 3498
Lot 3 DP 667420
Lot 1 DP 724823
Lot 1 DP 980108

1A Woodford Lane
Lot A DP 445535
12 Bent Street (part)
Lot 5 DP 666521

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

**1.1 Business and Industrial Zones
2.1 Environment Protection Zones
2.3 Heritage Conservation
3.1 Residential Zones
3.4 Integrating Land Use and Transport
4.1 Acid Sulfate Soils
4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions**

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

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

d) Which SEPPs have the RPA identified?

**SEPP No 19—Bushland in Urban Areas
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)
SEPP No 55—Remediation of Land
SREP (Sydney Harbour Catchment) 2005**

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

The planning proposal is consistent with all the relevant Section 117 Directions, however Direction 6.2 Reserving Land for Public Purposes is relevant as follows:

DIRECTION 6.2 RESERVING LAND FOR PUBLIC PURPOSES.

The Direction applies as the proposal seeks to remove the reservations for local road and local open space currently applying to 2-12 Bent Street. The proposal states Council has acquired the land and the Land Reservation Acquisition Map needs to be amended to reflect this acquisition. Additionally, the land identified as land for acquisition (already acquired by Council) is currently zoned RE1 Public Recreation. The proposal seeks to zone this land to B2 Local Centre and apply related development standards, introducing a minimum of 3,000sqm of public park, and minimum 1,000sqm public plaza (page 13).

In addition, Council has resolved to compulsory purchase the land identified as Drovers Way (road reserve), contained within the subject area of the planning proposal.

DEPARTMENT COMMENT:

The reduction of land zoned for public purposes is considered to be warranted on the basis that the masterplan for the area will facilitate appropriate public space within the proposed B2 Local Centre area. However the proposal does not identify the land size of the land zoned RE1 Public Recreation Space, or any land size of any other land identified in the proposal (including the total amount of land the proposal affects). It is recommended these land sizes are stated in the proposal.

Page 1 of the planning proposal states the proposal "relates to Council owned

land...illustrated in Figure 1." However Council are yet to acquire Drovers Way road reserve (pages 3 and 25 of the proposal). The opening sentence of the proposal should be amended to reflect that it also affects land not owned by Council.

RECOMMENDATION:

As the proposal seeks to alter reservations for public land for public purposes, the agreement of the Secretary or delegate is required for the proposal to proceed. As the land has been acquired by Council, and the reduction of land zoned for public purposes is considered to be warranted on the basis that the masterplan for the area will facilitate appropriate public space within the proposed B2 Local Centre area, it is recommended the delegate approves the proposed reduction in the existing zone/reservation.

SEPPs AND DEEMED SEPPs.

The planning proposal is consistent with all relevant SEPPs, however, it is recommended Council be reminded of the need to comply with SEPP 55 Remediation of Land.

SEPP 55 REMEDIATION OF LAND.

Council is currently conducting Phase 1 and 2 investigations on the subject land to assess suitability of proposed land uses. Further consideration to clause 6 of the SEPP is recommended in the covering letter to remind Council of the need to ensure compliance with the SEPP.

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 : The mapping provided in Part 4 of the planning proposal is adequate for public exhibition.

The legends used on the existing and proposed Zoning Maps, and existing and proposed Floor Space Ratio maps, should ensure they are consistent, prior to public exhibition.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Part 5 of the proposal recommends a 14 day exhibition period.
Part 6 of the proposal plans for a 28 day exhibition period.

A 28 day exhibition period is recommended, and the planning proposal is to be amended prior to exhibition to ensure consistency with the Gateway determination in each part of the proposal.

Additional Director General's requirements

Are there any additional Director General's requirements? **Yes**

If Yes, reasons : S117 Direction 6.2 - Reserving Land for Public Purposes, applies to the proposal.

As the proposal seeks to alter reservations for public land for public purposes, the agreement of the Secretary or delegate is required for the proposal to proceed. It is recommended the delegate approves the proposed reduction in the existing zone/reservation.

Overall adequacy of the proposal

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

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **February 2013**

Comments in relation
to Principal LEP :

The Ku-ring-gai Local Environmental Plan (Local Centres) 2012 was published to the NSW Legislation website on 25 January 2013, and came into effect 14 days later on 8 February 2013.

Assessment Criteria

Need for planning
proposal :

Rezoning and increased height of building and floor space ratio development standards are required to proceed with the intent of the Lindfield Hub Masterplan. A planning proposal is the only way to achieve this.

Consistency with strategic planning framework :

The proposal is consistent with the Sydney Metropolitan Strategy "A Plan for Growing Sydney".

The proposal is specifically consistent with the stated goals:

Goal 2:

A city of housing choice with homes that meet our needs and lifestyles.

DEPARTMENT COMMENT:

The proposal will increase residential dwelling supply, providing the most affordable type of housing (a mix of 1 to 3 bedroom apartments) in a sustainable location.

Goal 3:

A great place to live with communities that are strong, healthy and well connected.

DEPARTMENT COMMENT:

The proposal will add new community facilities, increased retail/commercial and residential density to an existing centre.

Goal 4:

A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The proposal addressed two principles in "A Plan for Growing Sydney":

Principle 1:

Increasing housing choice around all centres through urban renewal in established areas.

DEPARTMENT COMMENT:

The subject land is currently underdeveloped. The proposed increase in density/commercial space, and affordable housing (mix of apartments) is found to be well located in an existing commercial centre.

Principle 3:

Connecting centres with a networking transport system:

DEPARTMENT COMMENT:

The existing Lindfield train station ensures connectivity to other centres in Ku-ring-gai and outside the local government area.

COMMUNITY STRATEGIC PLAN

The proposal is consistent with the 'Ku-ring-gai Council Community Strategic Plan 2030' delivering on the key themes of the Plan. The proposal is also consistent with the 'Ku-ring-gai Sustainability Vision 2008-2033' (pages 18-20 of the proposal).

Environmental social economic impacts :

ENVIRONMENTAL

The proposal has assessed the subject land for environmental factors affecting the viability of the proposal and Lindfield Hub Masterplan. There is no critical habit identified on the subject land, however the proposal identifies potential threatened species and habitat (page 26).

The proposal will result in the removal of approximately 0.216has of Sydney Turpentine Ironbark Forest. The Forest is considered to be below the condition threshold for protection under the 'Environment Protection and Biodiversity Conservation Act 1999'.

The proposal states that it will address the impacts and establish an offset strategy for the removal of Sydney Turpentine Ironbark Forest and any threatened species habitat. This will be achieved by the submission of a Section 91 Licence application (under the 'Threatened Species Conservation Act 1995') administered by the Office of Environmental Heritage.

Further, it is recommended that Council consults with the Office of Environment and

Heritage as a condition of the Gateway determination.

SOCIAL AND ECONOMIC

The proposal is anticipated to have positive social and economic benefits by providing new residential dwellings, community facilities and commercial space in an existing, underdeveloped neighbourhood centre. The subject land is also in close proximity to the Lindfield train station.

The proposed increase in the height of buildings development standard (from 11.5m to 26.5m) is within the context of the adjacent maximum building heights of 20.5m of land zoned R4 High Density Residential. This will give a stepped approach to maximum building heights at the local centre.

Assessment Process

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

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

Public Authority Consultation - 56(2)(d) : **Office of Environment and Heritage
Energy Australia
Transport for NSW
Transport for NSW - Sydney Trains
Transport for NSW - Roads and Maritime Services
Sydney Water**

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 :

Ausgrid are also recommended to be consulted with.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons : **Transport for NSW has identified the Lindfield Community Hub as a site for a new commuter car park.**

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal to amend zoning height and FSR of the Lindfield Community Hub lands (2).pdf	Proposal	Yes
Council Report 10 Nov 2015.pdf	Proposal	Yes
Peopletrans Lindfield Local Centre Transport Network Model Study 2013 2014.pdf	Proposal	Yes
Peopletrans Supplementary Report 2015 2016.pdf	Proposal	Yes

Proposed amendment to Zoning, Height and FSR at the Lindfield Hub Site

Council Letter dated 8 04 2016 received 28 04 2016
Planning Proposal to amend the Zoning, Height and
FSR on the Lindfield Hub Site.pdf
Masterplan Lindfield Preferred Option.pdf

Proposal Covering Letter

Yes

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
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.1 Approval and Referral Requirements
- 6.2 Reserving Land for Public Purposes
- 6.3 Site Specific Provisions

Additional Information :

GATEWAY DETERMINATION

As the matter is of a minor nature and is consistent with a strategy prepared by Ku-ring-gai Council, it is recommended that the Gateway determination function be exercised by the Director, Sydney Region West.

DELEGATION OF PLAN MAKING FUNCTION

Ku-ring-gai Council has not requested the delegation of the plan-making function in relation to this planning proposal. Given Council ownership of the land, subject to the planning proposal, it is not considered appropriate for authorisation to be issued in this instance.

SECTION 117 DIRECTION 6.2 - RESERVING LAND FOR PUBLIC PURPOSES

The Delegate's approval is recommended in accordance with Direction 6.2 Reserving Land for Public Purposes. The reduction of land zoned for public purposes is considered to be warranted on the basis that the masterplan for the area will facilitate appropriate public space.

RECOMMENDATIONS AND GATEWAY CONDITIONS

It is recommended that the planning proposal proceeds, subject to the following conditions:

1. Prior to public exhibition, Council is to amend the planning proposal, as follows:

- (a) page 1 of the proposal is to be amended to correctly indicate that Council does not own all the sites subject to the planning proposal;
- (b) the proposal is to clarify the existing classification of land applying to all sites and confirm operational status.
- (c) Part 2, page 9 of the proposal is to be amended to amend the address of '1A Woodford Lane' to '1 Woodford Lane';
- (d) delete all references to the "Department of Planning and Infrastructure" and replace with "Department of Planning and Environment";
- (e) amend Part 5 and Part 6 of the proposal to reflect a 28 day consultation period;
- (f) in Part 4, the legends used on the existing and proposed Zoning Maps, and existing and proposed Floor Space Ratio Maps, are to be amended to ensure these are consistent between maps;
- (g) include the total land size area of the subject land, and the relevant land size area of land zoned RE1 Public recreation.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2013).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Office of Environment and Heritage
- Transport for NSW
- Transport for NSW – Sydney Trains
- NSW Roads and Maritime Services
- Sydney Water
- Ausgrid
- Energy Australia

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal is supported as it will:

- a) better utilise underdeveloped land in an existing local centre;
b) provide additional residential dwellings, community facilities and retail/commercial businesses; and
c) provide associated jobs in the area;
d) increase density and land utilisation in an area supported by established infrastructure, such as the Lindfield train station, and has been masterplanned to provide additional car parking spaces; and
e) facilitate the delivery of new public open space, including a 3,000sqm park and public plaza.

Signature:



Printed Name:

T DORAN

Date:

24/5/16

