
SITE SPECIFIC DCP - PART 62, 64-66 PACIFIC HIGHWAY, ROSEVILLE

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To have Council consider an amendment to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.

BACKGROUND:

On 9 April 2019 Council resolved to submit a Planning Proposal for part 62, 64-66 Pacific Highway, Roseville to the Department of Planning for a Gateway Determination, which would enable its public exhibition.

As part of the Resolution of 9 April 2019, Council also resolved that should a Gateway Determination be issued for the public exhibition of the Planning Proposal, site specific amendments to the DCP should be prepared and placed on public exhibition concurrently with the Planning Proposal.

A Gateway Determination was issued by DPIE on 1 June 2020.

COMMENTS:

The Planning Proposal seeks to increase the maximum height of buildings and floor space ratio development standards applying to the site.

Site specific amendments to the Local Centres DCP have been prepared to guide future development outcomes on the site.

RECOMMENDATION:

That Council endorse the draft site-specific DCP amendments for part 62, 64-66 Pacific Highway, Roseville for the purpose of public exhibition.

That the draft site-specific DCP amendments be placed on public exhibition alongside the Planning Proposal.

PURPOSE OF REPORT

To have Council consider an amendment to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.

BACKGROUND

The Planning Proposal (PP_2019_KURIN_004_00) for part 62, 64-66 Pacific Highway Roseville seeks to the following amendments to the KLEP Local Centres 2012:

- increase the maximum height of buildings (from part 20.5m and part 14.5m to 26.5m) and floorspace ratio (from part 2:1 and part 2.8:1 to 3:1) to enable a 7 storey building on the site.
- Rezone a small part (garden bed – approx. 9sqm) from RE1 Public Recreation to B2 Local Centre
- Amendment to Schedule 1 Additional Permitted Uses to allow a residential flat building on the site to be located wholly above a ground floor registered club.

At the OMC 9 April 2019 Council resolved to submit the Planning Proposal to the Department of Planning, Industry and Environment for a Gateway Determination which would enable its public exhibition (part B). Additionally Council resolved that, should a Gateway Determination be issued, then site specific amendments to the DCP should be prepared and publically exhibited with the Planning Proposal (part E):

- That the Planning Proposal be amended in accordance with the recommendations in this Council Report and Table of Assessment at **Attachment A1**.*
- That the Planning Proposal be forwarded to the Department of Planning and Environment for a Gateway Determination in accordance with section 56 of the Environmental Planning and Assessment Act 1979.*
- That delegation be given to the General Manager and Director of Strategy and Environment to verify all amendments are in accordance with the recommendations of this Council Report and Table of Amendments at **Attachment A1** prior to forwarding to the Department of Planning and Environment.*
- That Council requests to be authorised as the local plan-making authority to exercise the functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979 for this Planning Proposal.*
- That should a Gateway Determination be issued for public exhibition of the Planning Proposal, site specific amendments to Council's Comprehensive Development Control Plan be prepared in accordance with Council's fees and charges, the details in this Council Report and the Table of Amendments at **Attachment A1** and be placed on public exhibition concurrently with the Planning Proposal.*
- That a Report be brought back to Council, as per any Gateway requirements, following the exhibition of the Planning Proposal and site specific draft Development Control Plan.*
- That the applicant be notified of Council's Resolution.*

The Department of Planning, Industry and Environment issued a Gateway Determination on 1 June 2020.

The site is currently subject to a number of planning actions, with a Development Application and Voluntary Planning Agreement (VPA) concurrently proceeding alongside the Planning Proposal and

site specific DCP. This Planning Proposal and supporting draft site specific DCP is an independent process and assessment to the current development application and VPA.

COMMENTS

It is proposed to amend the Ku-ring-gai Local Centres Development Control Plan (DCP), Part 14 Urban Precincts and Sites to include site specific controls for part 62, 64-66 Pacific Highway, Roseville.

The draft site specific controls have been prepared by Council staff, and have had regard to the Urban Design Study submitted with the Planning Proposal, which provides an indication of the possible type, scale, footprint and built outcomes enabled by the Planning Proposal. The draft Site Specific DCP is included at **Attachment A1**.

The draft site specific controls have been prepared to guide future development on the site, by setting out the key elements which need to be considered and addressed in order to ensure new development fits sensitively within the streetscape and enhances the interface with the public domain.

A brief overview of the key considerations contained within the draft DCP are outlined below:

Urban Precinct

This section of the DCP sets out the planned future character for the site, and key elements any new development must address, including:

- Protection and retention of existing trees in Roseville Memorial Park
- Provision of a landmark building of high quality form and design, which is responsive to the specific context of the site, its features and the wider context of the Roseville Local Centre.
- Commercial uses on the ground floor to create an active and vibrant interface along the Pacific Highway, Roseville Memorial Park and Larkin Lane.
- Ensuring new development is respectful to the surrounding context with articulated height, street wall, setbacks and massing to provide appropriate interface with the Roseville Memorial Park, public domain and the adjoining properties.

Pedestrian and Vehicular Access

This section of the DCP outlines where vehicle entry/exit points are to be located, and where pedestrian access to the site is to be provided. A key requirement is that primary entry to the ground floor commercial uses must be provided on the corner of the Pacific Highway and Roseville Memorial Park.

The draft site specific DCP incorporates a car parking rate for 'registered club' use. Currently the car parking rates for a 'registered club' is assessed on its merits, with a traffic and transport assessment report prepared based on the parking demands of a similar development. The draft DCP proposes a control requiring on-site parking to be provided for a 'registered club' use of 1 space per 20sqm Gross Floor Area for patrons, plus 1 space per 2 employees. The proposed car parking rate has been determined by analysing the parking rates for registered clubs in other similar LGA's.

The draft DCP also includes a control requiring parking areas to be designed and constructed so that electric vehicle charging points can be installed.

Building setbacks

This section of the DCP outlines appropriate building setbacks for future development on the site, with key considerations including:

- Ensuring that building and basement setbacks are sufficient to allow for the retention of the existing trees in Roseville Memorial Park
- The creation of a cohesive streetscape with consistent building alignments and setbacks

The draft DCP outlines that a 6m setback is to be provided from Larkin Lane, this is consistent with the existing DCP requirements for the adjoining properties to the north of the site and will ensure that a consistent rear setback is achieved. Basement levels are permitted to extend to the Larkin Lane boundary, subject to the provision of at least 3m soil depth to allow for the establishment of street trees along Larkin Lane.

Built Form

This section of the DCP outlines the specific built form requirements for future development on the site. Key considerations include:

- Provision of active street frontages to primary frontages of the Pacific Highway and Roseville Memorial Park, and secondary active frontage of Larkin Lane. Floor to ceiling glazing is to be provided at the ground level to encourage visual connection between the public domain and building.
- Provision of a landmark building of high quality form and design, which is responsive to the specific context of the site and its features. A key requirement is that the building should turn the corner and address both street frontages, and incorporate corner articulations.
- Provision of a 3 storey street wall to the Pacific Highway providing a consistent and cohesive urban form and streetscape by matching the street wall requirement for adjoining properties to the north. This will provide a consistent urban form and human scale along the Pacific Highway.
- Primary entry to the ground floor commercial uses must be provided on the corner of the Pacific Highway and Roseville Memorial Park.

Heritage

This section of the DCP includes objectives and controls to ensure new development does not adversely impact on the significance of the heritage item located at 1 Maclaurin Parade, Roseville, and includes consideration of:

- Requirement for a Heritage Impact Assessment demonstrating proposed works will not adversely impact on significant, including curtilage and setting.
- Ensuring the scale of new development does not visually dominate, detract or compete with the heritage item
- Ensuring new development does not reduce or impair important views to and from the Heritage Item.

Public Domain

This section of the DCP outlines public domain works surrounding the site, including Larkin Lane. As with all Public Domain works identified in the DCP, it is to be delivered through a Voluntary Planning Agreement (VPA) or other delivery mechanism.

The objective of the public domain works is to provide a high quality streetscape that engages and activates the Local Centre, and contributes to its economic viability. Key elements include:

- Provision of minimum 2m wide pedestrian path within the 6m setback from Larkin Lane, to improve and enhance with pedestrian connection to Roseville Memorial Park and the rest of the Roseville Local Centre. The remainder of the setback area is to be soft landscaping, and tree planning to provide continuity and visual extension to Roseville Memorial Park.
- Paving to Pacific Highway to be in accordance with Public Domain Technical Manual for Local Centres
- Any external works, such as signage, must respect the location and heritage significance of memorials within the Roseville Memorial Park.
- Light spill from the building into the park is to be minimised.
- Balustrades surrounding the outside of any ground floor terraces interfacing with the Roseville Memorial Park are to be transparent for visual continuity with the park.
- Minimise overshadowing of the park.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, spaces and infrastructure

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1 A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai	P2.1.1 Land use strategies, plans and processes are in place to effectively manage the impact of new development	P2.1.1.2 Continue to review the effectiveness of existing strategies, local environmental plans, development control plans and processes across all programs

GOVERNANCE MATTERS

The process for the preparation and implementation of Planning Proposals is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

This report relates to a draft site specific DCP that has been prepared to support the amendments sought by the Planning Proposal which includes:

- increase the maximum height of buildings (from part 20.5m and part 14.5m to 26.5m) and floorspace ratio (from part 2:1 and part 2.8:1 to 3:1) to enable a 7 storey building on the site.
- Rezone a small part (garden bed – approx. 9sqm) from RE1 Public Recreation to B2 Local Centre
- Amendment to Schedule 1 Additional Permitted Uses to allow a residential flat building on the site to be located wholly above a ground floor registered club

The site specific DCP controls are required to be consistent with proposed LEP provisions contained in the planning proposal. Under Section 4.43(5)(b) of the *EP&A Act*, a provision of a development control plan has no effect to the extent that it is inconsistent or incompatible with a provision of the LEP applying to the land.

RISK MANAGEMENT

The preparation and inclusion of site specific development control provisions for part 62, 64-66 Pacific Highway, Roseville will provide greater assurance for future development outcomes on the site.

FINANCIAL CONSIDERATIONS

The cost to prepare the site specific DCP provisions have been paid by the Planning Proposal applicant in accordance with Council's Schedule of Fees and Charges 2020/2021.

SOCIAL CONSIDERATIONS

The site specific DCP amendment includes objectives to promote and provide for civic improvements including public domain and pedestrian linkages to Roseville Memorial Park and the wider Roseville local centre.

ENVIRONMENTAL CONSIDERATIONS

The draft site specific DCP amendments include requirements to ensure the retention and protection of existing trees in the adjoining Roseville Memorial Park.

COMMUNITY CONSULTATION

The community will be formally consulted in accordance with the requirement of the Gateway Determination issued by the Department of Planning, Industry and Environment on 2 June 2020, and the requirements of the *Environmental Planning and Assessment Act 1979* and Council's Community Participation Plan.

In accordance with the Council resolution of 9 April 2019, the draft site specific DCP amendments will be placed on public exhibition alongside the Planning Proposal for a minimum of 28 days.

INTERNAL CONSULTATION

Internal consultation has taken place for the preparation of the site specific DCP provisions with relevant staff with expertise in the areas of urban planning, urban design, public domain, landscape, heritage and traffic.

SUMMARY

On the 9 April 2019 Council resolved to submit a Planning Proposal for part 62, 64-66 Pacific Highway, Roseville to the Department of Planning, Industry and Environment for a Gateway Determination. As part of the resolution of 9 April 2020, Council also resolved that that should a Gateway Determination be issued, site specific amendments to the DCP should be prepared and placed on public exhibition concurrently with the Planning Proposal. A Gateway Determination was issued on 1 June 2020.

Draft site specific controls and objectives have been prepared by Council in order to guide future development outcomes on the site achieved in conjunction with the increased height and floor space ratio proposed by the Planning Proposal.

The draft site specific DCP amendments for part 62, 64-66 Pacific Highway, Roseville is to be publically exhibited concurrently with the Planning Proposal.

RECOMMENDATION:

- A. That Council endorses, for the purpose of public exhibition, the amendments to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- B. That the draft site specific DCP amendment be placed on public exhibition concurrently with the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- C. That a report be brought back to Council at the conclusion of the exhibition period for Council to consider any submissions made.

Alexandra Plumb
Acting Senior Urban Planner

Craige Wyse
Team Leader Urban Planning

Antony Fabbro
Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments: A1 Draft Site Specific DCP - Part 62 and 64-66 Pacific Highway,
Roseville

2021/016016

FOR ACTION

ORDINARY MEETING OF COUNCIL – 16/02/2021

TO: Acting Senior Urban Planner (Plumb, Alexandra)

Subject: OMC028 - Site specific DCP - Part 62, 64-66 Pacific Highway, Roseville
Minute Number: 28
Notes:
File Reference: S12030 2020/275261

MOTION:

[Moved: Councillors Ngai/Spencer]

That:

- A. Council endorse, for the purpose of public exhibition, the amendments to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- B. The draft site specific DCP amendment be placed on public exhibition concurrently with the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- C. A report be brought back to Council at the conclusion of the exhibition period for Council to consider any submissions made.
- D. Council acknowledge that part of the development at 62, 64-66 Pacific Highway assumes the divestment of 156.80sqm of Roseville Town Centre community land.
- E. Council acknowledge that on page 58 of Attachment A1 of GB19 of the OMC dated 22 October 2019, there appears to be a tentative price of \$225,000 for the community land mentioned in point D above. Council also notes that there are members of the community who believe that \$225,000 is not a satisfactory outcome for ratepayers, especially when considering that it results in a reduction of scarce community parking space while also allowing the developer to support an extra 3 dwellings on the site.
- F. To support a wider range of valuation methodologies and in seeking a better outcome for our ratepayers, Council Staff review and propose changes to Council's *Acquisition and Divestment of Land Policy* prior to any decision to sell the land mentioned in points D. and E. above. The final decision to sell this land (including the sale price) will be made by the elected councillors.

AMENDMENT:

[Moved: Councillor Clarke/ Greenfield]

That:

- A. Council endorse, for the purpose of public exhibition, the amendments to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.

- B. The draft site specific DCP amendment be placed on public exhibition concurrently with the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- C. A report be brought back to Council at the conclusion of the exhibition period for Council to consider any submissions made.

For the Amendment: *The Mayor, Councillor Anderson, Councillors Clarke and Greenfield.*

Against the Amendment: *Councillors Kay, Kelly, Ngai, Pettett and Spencer.*

The Amendment was put and declared LOST.

Debate recommenced on the Motion.

The Motion was put and declared CARRIED.

Resolved:

(Moved: Councillors Ngai/Spencer)

That:

- A. Council endorse, for the purpose of public exhibition, the amendments to the Ku-ring-gai Local Centres Development Control Plan (DCP) to include site specific controls to support the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- B. The draft site specific DCP amendment be placed on public exhibition concurrently with the Planning Proposal for part 62, 64-66 Pacific Highway, Roseville.
- C. A report be brought back to Council at the conclusion of the exhibition period for Council to consider any submissions made.
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- F. To support a wider range of valuation methodologies and in seeking a better outcome for our ratepayers, Council Staff review and propose changes to Council's *Acquisition and Divestment of Land Policy* prior to any decision to sell the land mentioned in points D. and E. above. The final decision to sell this land (including the sale price) will be made by the elected councillors.

For the Resolution: *The Mayor, Councillor Anderson, Councillors Kay, Ngai, Pettett and Spencer.*

Against the Resolution: *Councillors Clarke, Greenfield and Kelly.*

