



PLANNING PROPOSAL

TO REZONE LAND AT

47 WARRANE ROAD, ROSEVILLE CHASE

August 2018

**Prepared for
Ku-ring-gai Council**

**By
BBC Consulting Planners**

Job No. 18-107A

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I. INTRODUCTION

Overview

This planning proposal contains an explanation of the intended effect and justification for a proposed amendment to the Ku-ring-gai Local Environmental Plan 2015 ("the LEP"). The planning proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act 1979 ("the EP&A Act") and the relevant Department of Planning guidelines and practice notes including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals' ("the guidelines").

This Planning Proposal seeks an amendment to the LEP to change the zoning, height, floor space ratio, and minimum lot size controls relating to a Council owned site ("the Planning Proposal") at 47 Warrane Road, Roseville Chase ("the site").

At the Ordinary Meeting of Council on 8 May 2018, Council considered a report recommending that Council commences the process of amending the controls relating to the site (see **Appendix 1**).

A copy of the minutes to the Ordinary Meeting of Council on 8 May 2018 is provided at **Appendix 1** to this Planning Proposal. As detailed in the minutes, Council resolved as follows:-

- A. *"That a Planning Proposal be prepared in accordance the Environmental Planning and Assessment Act 1979 to amend the Ku-ring-gai Local Environmental Plan 2015 to rezone 47 Warrane Road, Roseville Chase from RE1 Public Recreation to R3 Medium Density Residential and apply floor space ratio development standard of 0.8:1, height of buildings of 11.5m and minimum lot size of 1200sqm.*
- B. *That the Planning Proposal be submitted to the Department of Planning and Environment for Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.*
- C. *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 the Gateway Determination.*
- D. *That a report be brought back to Council at the end of the exhibition process."*

BBC Consulting Planners has been engaged by Ku-ring-gai Council to prepare a planning proposal in relation to the above resolution.

In accordance with Section 3.33 of the EP&A Act, this planning proposal seeks to explain the intended effect of the proposed instrument and sets out the justification for making the proposed instrument. This planning proposal addresses matters that are intended to be included in the Ku-ring-gai Local Environmental Plan 2015.

II. Land to which this planning proposal relates

Location and Site Details

The land to which this Planning Proposal relates is the former East Roseville Bowling Club known as 47 Warrane Road, Roseville Chase (“the site”).

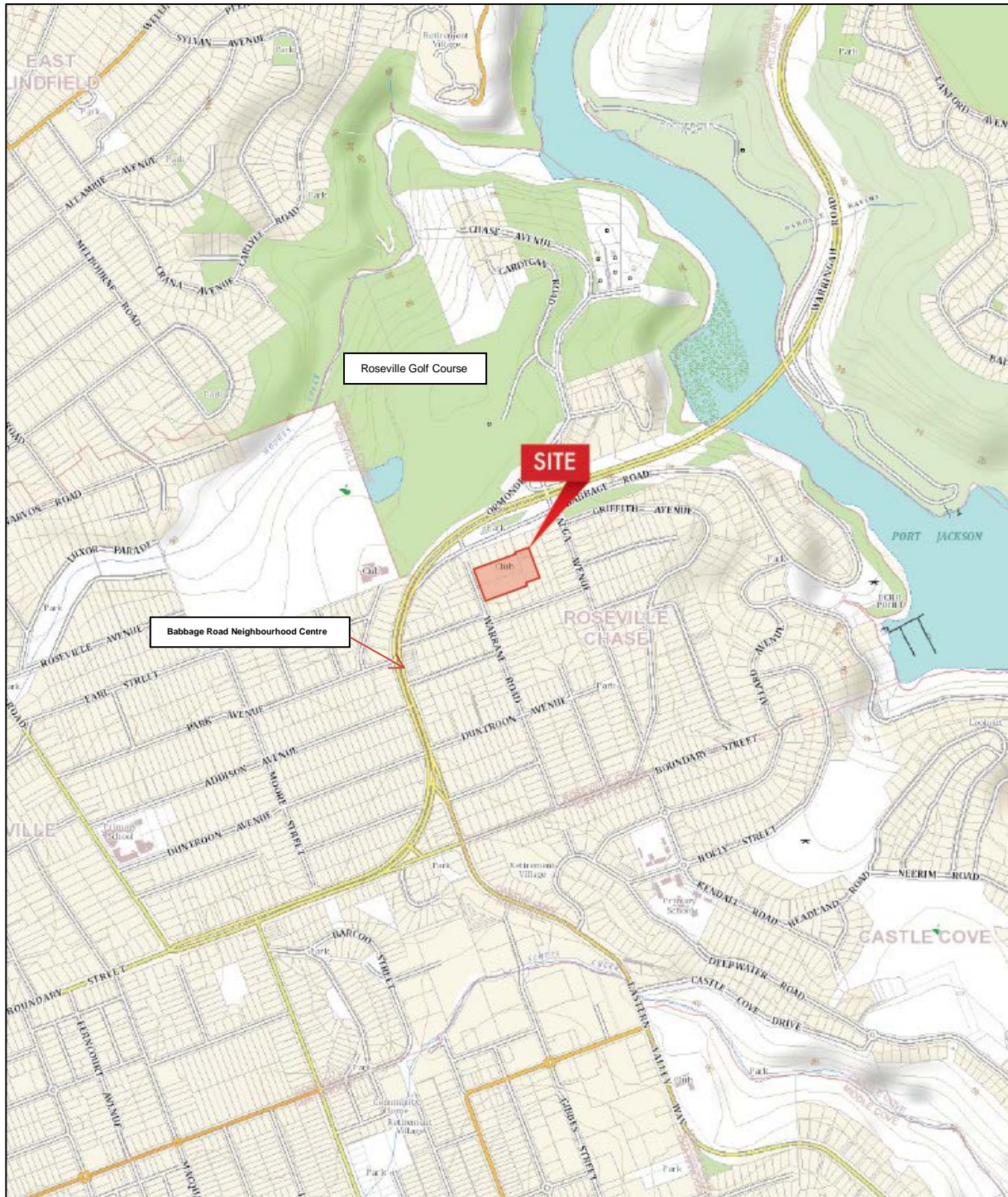
The site is located at the northern end of Warrane Road.

The site details and its immediate and wider surroundings are illustrated in **Figures 1 - 4** below. The immediate locality is generally characterised by single storey and two storey detached dwelling houses. North of the site is Warringah Road which travels east towards the Roseville Bridge and south west to Chatswood. Further north is Roseville Chase Oval and Roseville golf course.

The site is approximately 270 metres from the East Roseville Shopping Centre on Babbage Road.

The site is well located in terms of public transport with bus stops located along Warringah Road, which serve bus routes to Chatswood, Sydney CBD, Manly, and Terry Hills.

Figure 1: Site location (source: SixMaps)



Roseville Golf Course

Figure 3: Aerial Image (Detail) (source: Nearmaps)



Figure 4: Site Context (Wider Area) (source: Nearmaps)

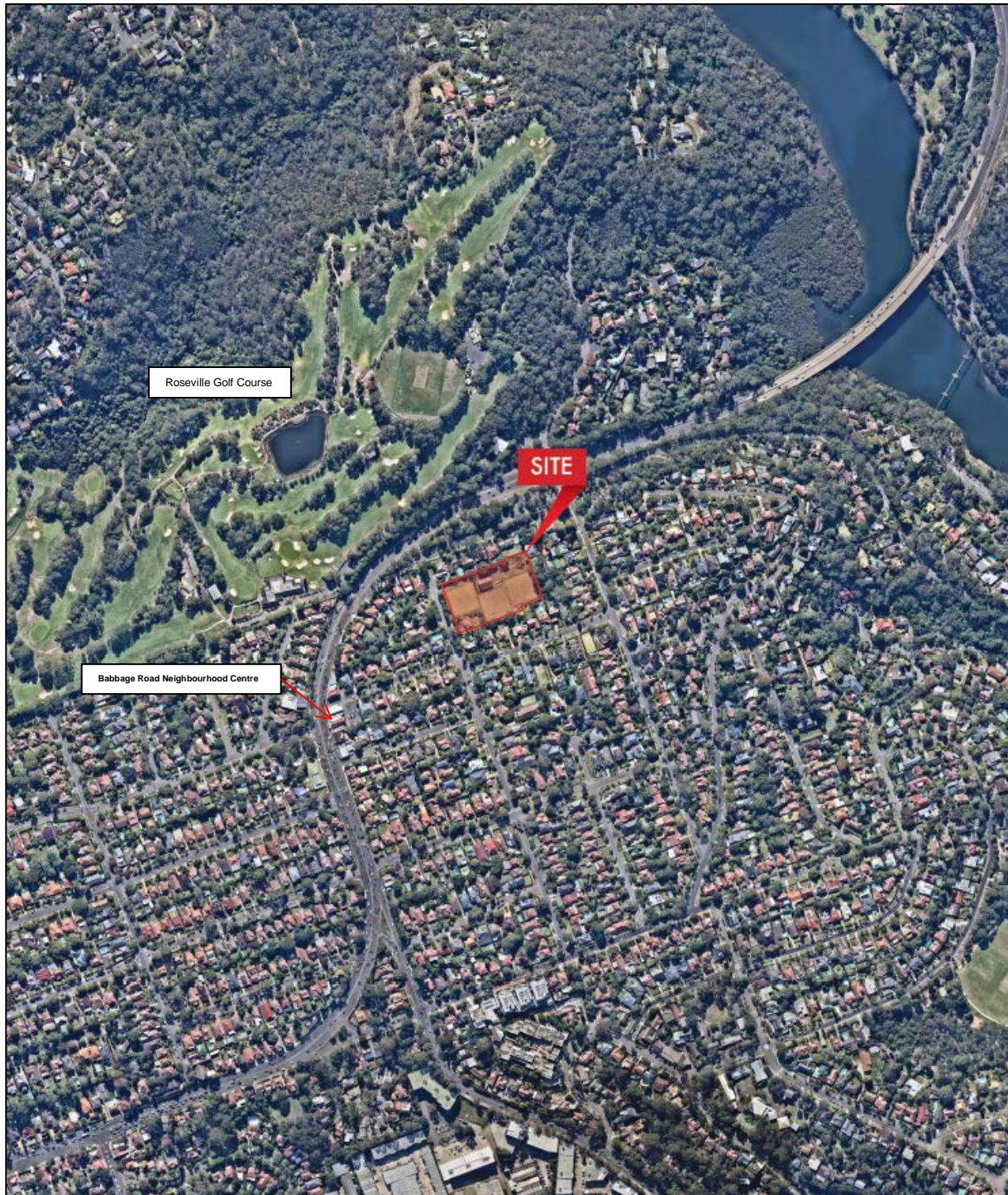


Table 1 below provides a schedule of lots and their respective areas. The site is owned by Ku-ring-gai Council. Title documents are provided at (**Appendix 5**)

Table 1: Schedule of Lots and Areas

Lot	Area (m ²)
Lot 33 in DP 3285	3,844
Lot 34 in DP 3285	3,844
Lot 3 in DP 26343	1,766
Lot B in DP 403780	656
TOTAL	10,110

The site is irregular in shape and comprises the following:-

- A two storey brick clubhouse with a terra cotta tile roof;
- A car park;
- Three bowling greens; and
- A greens keeper brick cottage and associated curtilage in the south western corner of the site.

Based on a review of relevant records it is understood that the site has been in Council's ownership since 1948 and was soon after leased to East Roseville Bowling Club for use of the site for the purposes of a bowling club. On 28 June 2017 the East Roseville Bowling Club Limited advised Council that they intended to terminate their lease on 31 December 2017 due to their relocation to Linfield Bowling Club on 13 October 2017. The site is currently vacant.

Access

The site has vehicular access from Warrane Road with a frontage of approximately 75 metres. Warrane Road is a local road with no connection to Babbage Road (or Warringah Road) to the north. Access to Warringah Road is via a number of east west running streets directly to Warringah Road or via Malga Avenue to the north.

Vegetation

The site is characterised by broad open grassed expanses, including bowling greens, and sporadic exotic ornamental species. The site is not affected by riparian, biodiversity or greenweb overlays.

Drainage Topography

The site and immediate surrounds slope generally to the north east toward Middle Harbour. There does not appear to be any natural water courses on the site. However the site contains Council drainage infrastructure as shown on **Figure 5** entering the site from the north west and south and exiting the site to the north east.

III. Reason site was acquired

It is understood that the site was acquired in 1948 and the Roseville Bowling Club was established on the site soon after.

As previously stated, on June 28 2017 the East Roseville Bowling Club Limited advised Council that they proposed to relocate to the Linfield Bowling Club on a date after 13 October 2017. The East Roseville Bowling Club Limited has since terminated its lease with Council and have vacated the site. The site is no longer needed for the purpose it was acquired

Key reasons for the Club vacating the property included:-

- Membership age profile and reduction in numbers;
- Workload of few members;
- Operational difficulties with fewer and ageing membership;
- Likelihood of future financial difficulties and leasehold risks; and
- The opportunity to merge with Linfield Bowling Club.

IV. Land Classification

The site is classified as operation land pursuant to Ku-ring-gai Local Environmental Plan 2015. Under Part 2 (Land classified, or reclassified, as operational land – interests changed) of Schedule 4 of the LEP indicates the following with respects to the site:

Under Column 1 Locality	Under Column 2 Description	Under Column 3 Any trusts etc not discharged
Roseville Chase	47 Warrane Road, being Lots 33 and 34, DP 3285; Lot 3, DP 26343; lot B, DP 403780	Nil

The original intent of the reclassification of the site to “operational land” was to allow Council to permit the subdivision of the site so as to have the cottage within the south western corner of the site and its associated curtilage with its own lot and title. This was then intended to be rezoned in the future to R2 Low Density Residential which would have allowed the future lawful residential use of the site whilst retaining the public recreational zoning of the remainder of the site for ongoing use.

Thus the whole site was reclassified to Operational land pursuant to the LEP. This decision was made by Council with the view that the Roseville Bowling Club would continue to lease the site for the purposes of public recreation. The termination of their lease has provided the opportunity for Council to reassess the highest and best use of the site. The report considered by Council at its meeting on 8 May 2018 (see **Appendix 2**) states that the co-ordinated and orderly use of the land would be best facilitated by rezoning the site to medium density residential, which would be accompanied by compatible planning controls which are consistent with the resounding residential development in the locality.

V. Existing Planning Controls

Table 2 below details the existing planning controls and development standards contained within the LEP that apply to the site to which this Planning Proposal relates.

Table 2: Existing planning controls relating to the site

Planning Control	Development Standard
Land Zoning	RE1 Public Recreation
FSR (n:1)	No FSR control
Maximum Height of Building	No maximum height of building control
Minimum Subdivision Lot Size	No minimum lot size control
Riparian Land and Waterways	No relevant controls
Biodiversity Protection	No relevant controls
Heritage	No relevant controls
Bushfire Prone Land	Not bushfire prone land

Maps of the site's current zoning and development standards are included in Part 4 of this Planning Proposal.

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objectives of the planning proposal are to:

- Rezone the site so as to enable redevelopment of the site for the purposes of residential accommodation;
- Better provide for the orderly, economic, and prompt development of the site; and
- Ensure that development within the Ku-ring-gai LGA appropriately supports the objectives of planning policies and plans namely Council's *Community Strategic Plan 2038*, the *Greater Sydney Regional Plan A Metropolis of Three Cities*, and the *North District Plan*.

PART 2 – EXPLANATION OF PROVISIONS

This section establishes the means through which the objectives of the Planning Proposal as described in Part 1 will be achieved via an amendment to the LEP. The Planning Proposal will result in the following amendments to the LEP:-

- Rezone the site from RE1 Public Recreation to R3 Medium Density Residential;
- Apply a Floor Space Ratio Control of 0.8:1;
- Apply a Maximum Building Height Control of 11.5m; and
- Apply a Minimum Lot Size Control of 1,200m².

Illustrations of the proposed LEP mapping amendments which support the Planning Proposal are provided at Part 4 of this report.

PART 3 – JUSTIFICATION

This section establishes the reasons for the proposed outcomes of the planning proposal and proposed amendments of the LEP.

The following questions are set out in the NSW Department of Planning and Environment guidelines “*A Guide to Preparing Planning Proposals*”. The questions address the need for the planning proposal, its strategic planning context, the environmental, social and economic impacts and the implications for State and Commonwealth government agencies.

Section A – Need for the Planning Proposal

As previously stated, on June 28 2017 the East Roseville Bowling Club Limited advised Council that they proposed to relocate to the Linfield Bowling Club. The East Roseville Bowling Club Limited has since terminated its lease with Council and have vacated the site.

Key reasons for the Club vacating the property included:-

- Membership age profile and reduction in numbers;
- Workload of few members;
- Operational difficulties with fewer and ageing membership;
- Likelihood of future financial difficulties and leasehold risks; and
- The opportunity to merge with Linfield Bowling Club.

It is appropriate that the planning controls which apply to the site be changed to enable the site to be developed or used in an orderly and economic manner as determined by Council's strategic planning investigations. Thus there is seen to be a need for a planning proposal for the site.

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

Yes. Council resolved, at the Ordinary Meeting of Council held on 8 May 2018 (see **Appendix 1**), to prepare a planning proposal to amend the planning controls relating to the site. The planning proposal will facilitate future planning and redevelopment of the site. Since it was acquired, the site has been used by Roseville Bowling Club, which, due to declining membership terminated their lease with Council and vacated the property in late 2017. The site is currently zoned RE1 Public Recreation. The site's future use under the current zoning is not considered the highest or best use of the site. Rezoning the site is consistent with the objectives relating to increasing housing supply, housing choice and housing affordability within strategic planning policies and plans such as Council's *Community Strategic Plan*, the Greater Sydney Region Plan *A Metropolis of Three Cities*, and the *North District Plan*.

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

Yes, in a statutory sense, the orderly and economic use of the site for the purposes of residential accommodation is only possible through a residential zoning. A planning proposal is the only means of which an LEP can be amended. Accordingly the best means of achieving the objectives or intended outcomes is through a planning proposal.

Section B – Relationship to Strategic Planning Framework

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

The planning proposal is consistent with the following regional and subregional strategies:

Greater Sydney Regional Plan – A Metropolis of Three Cities (March 2018)

The Greater Sydney Regional Plan 2056 – A metropolis of three cities – connecting people was released in March 2018. It sets out a vision, objectives, strategies and actions for a metropolis of three cities across Greater Sydney. Roseville Chase is located within the Eastern Harbour City area

The planning proposal is consistent with the following objectives provided by the Greater Sydney Regional Plan:

- Objective 10 (Greater Housing Supply): The planning proposal would have the result in increasing the supply of land which has the potential to increase the housing supply in Sydney. Almost 73% of dwellings in Ku-ring-gai are separate houses compared to the Greater Sydney average of 55%. 8.4% of dwellings are medium density compared to 20% in greater Sydney. Whilst there has been a significant increase in high density dwellings between 2011 and 2016, the number of medium density dwellings decreased between 2011 and 2016¹. The planning proposal would have the result of increasing the supply of medium density housing in an appropriate location. The planning proposal would assist Ku-ring-gai Council in meeting its housing targets provided for the north district. It provides the opportunity for local infill development in an existing urban area with walkable access to centres, facilities and public transport achieving greater housing diversity.
- Objective 11 (Housing is more diverse and affordable): The planning proposal is consistent with this objective in that it would allow the land to be developed to provided medium density residential uses, a portion of which, could be affordable. Medium density housing provides for an alternative, and a more affordable housing choice compared to a detached dwelling.
- Objective 14 (Integrated land use and transport creates walkable and 30 minute cities): The site is well located in terms of access to public transport with Warringah Road/Babbage Road bus services approximately 5 minutes walking distance from the site. The bus services provide access to strategic centres, such as Chatswood and Sydney CBD. As the plan suggests, it is appropriate that future residents of the site have access to the services, jobs and skills which are available within centres.

A central goal of the Greater Sydney Regional Plan 2056 is to strategically plan Sydney to ensure that residents will have quick and easy access to jobs and essential services. It is intended that workers will be closer to knowledge intensive jobs, city scale infrastructure and services, and entertainment and cultural facilities.

¹ Ku-ring-gai Council Community Profile by.idcommunity

The site is located within close proximity to public transport services and other amenities that can be readily accessed by future residents of the site. It would seem that the proposed future establishment of a new residential development at the site in accordance with its proposed zoning would be entirely consistent with the objectives of the Greater Sydney Regional Plan.

North District Plan

The North District Plan was released in March 2018. It sets out the planning priorities and actions for the growth of the North District.

The planning proposal is consistent with the plan, particularly with respects to the following planning priorities:

- Planning Priority N3 (Providing services and social infrastructure to meet people's changing needs): The site was acquired for the purposes of the Roseville Bowling Club which has since closed and no longer requires the site. The planning proposal facilitates alternative uses for the site and any future sale of the property will release funds for other social infrastructure required by the community. Any future divestment will assist Council to effectively manage its financial position to meet community expectations for renewal and replacement of assets.
- Planning Priority N5 (Providing housing supply, choice and affordability, with access to jobs, services and public transport): The planning proposal is consistent with this planning priority in that it will facilitate the future development of the site to provide residential accommodation within close walkable proximity to public transport services and a range of other community facilities and services. The planning proposal meets the objectives relating to greater housing supply and in that it would contribute to meeting the North District's housing target of 92,000 dwellings from 2016-2036. A medium density residential zoning allows for the site to better cater for the demand of Sydney's changing population by providing a broader range of housing options to suit different lifestyle and affordability needs. It provides the opportunity for local infill development in an existing urban area with walkable access to centres, facilities and public transport achieving greater housing diversity.
- Planning Priority N12 (Delivering integrated land use and transport planning and a 30 minute city): As previously stated the site is well located in terms of public transport and has good access to centres, including Chatswood. The site's rezoning to facilitate medium density residential development would allow the benefits of its accessibility to be better utilised.

Future Transport Strategy 2056

The site benefits from the improvement of bus services between Chatswood and the Northern Beaches via the B-Line. These new bus services are planned to travel along Boundary/Warringah Road which is in close proximity to the site.

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

Yes, the planning proposal is consistent with the following issue and long term objective of the Ku-ring-gai Community Strategic Plan 2038:

- C4.1 (A community that embraces healthier lifestyle choices and practices): The planning proposal contributes to the provision of a range of cultural, recreational and leisure facilities and activities are available to encourage social interaction and stimulate everyday wellbeing. It provides additional residential opportunities in a location within walking distance of a range of facilities services and open space.
- C6.1 (Housing Choice and Affordability): The planning proposal would allow the site to be redeveloped for the purposes of medium density residential purposes which would increase the housing supply, choice and affordability in the area. Currently, the area is predominately saturated by a single detached dwelling housing stock which does not provide for housing diversity and affordability. The rezoning of the site would provide housing choice which would suit different lifestyles and address housing affordability.
- L2.1 (Council rigorously manages its financial resources and assets to maximise delivery of services): The divestment of the site from any future sale would provide Council with additional financial assets which will assist Council to effectively manage its financial situation to meet community expectations for renewal and replacement of assets. As resolved at Councils Ordinary Meeting on 8 May 2018, any future sale of the site could finance East Lindfield Community Centre (see **Appendix 2**).

A review of the Community Strategic Plan was undertaken by Council in 2017 which included a variety of community planning workshops. Participants of the workshops were of the opinion that there was a requirement by Council to provide a greater mix of housing in the locality, particularly town houses or medium density development. More dense styles of development would provide residents with the opportunity to downsize and a more affordable housing option for younger families.

Open Space Acquisition Strategy

Council's Open Space Acquisition Strategy (OSAS) establishes principles and priorities for acquiring open space in Ku-ring-gai. It identifies priority areas generally around local centres and along the main road corridors where there is limited existing parkland and where new development is increasing the local population. The OSAS establishes principles and priorities for acquiring open space in Ku-ring-gai. The planning report accompanying the report to Council on 8 May 2018 (**Appendix 2**) undertakes an assessment of the suitability of the site for this purpose. A summary is provided below:

- *Location - The site is located in a priority 6 zone as shown in the figure below. This is a low level priority as current planning provisions indicate very little higher density is planned for the area; in addition the site is very well served by parks. The nearest parks are:*
 - *Echo Point Park is a 15 minute walk to the east of the site; it is situated in bushland on the shores of Middle Harbour and has a wide range of facilities and attractions including a beach, mangroves, Aboriginal heritage sites, walking tracks, terraced gardens, playground and remains of the old Roseville Baths and Roseville Bridge;*
 - *Malga Reserve is a local park located within a 5 minute walk from the site; it has an area of approximately 4,300sqm with a recently upgraded playground on the corner of Griffith Avenue and Malga Avenue; and*
 - *Castle Cove Park in Willoughby LGA is a 15 minute walk to the south-east of the site and provides a wide range of facilities including BBQ facilities; off-*

leash dog area; sportsground; multipurpose ball court; toilets; and a jump track.

- **Visual and landscape quality** - The site does not have particularly high visual or landscape qualities that would enhance the recreational use of the site.
- **Accessibility** - The site is in a reasonably prominent location and is visible from a public street. The OSAS requires that new parks have at least 2 street frontages; the subject site would not currently comply with this requirement.
- **Connectivity** - The site would not provide potential to create new linkages between residential blocks. Further land acquisition would be required to achieve this outcome.
- **Carrying Capacity** - The site does not extend or build on an existing reserve or system of reserves. A park in this location would duplicate the facilities provided in Malga Reserve.
- **Economic Efficiency** - Assessment of a walking catchment around the subject site indicates that a park in this location would duplicate the facilities currently provided in Malga Reserve.
- **Management and Maintenance** - The subject site is likely to be affected by unacceptable risks such as contamination given the past use. This would dramatically increase the cost of construction of the park. Such costs are not budgeted for and must be avoided to ensure maximum funds are available to create new parks with high levels of facilities and amenities.
- **Passive Surveillance** - The location is largely consistent with "Safety by Design" principles in terms of passive surveillance. The current situation would be improved by redevelopment of the site.

In summary, when assessed against the principles and criteria under the OSAS, the subject site (or part of) is not a suitable location for a park because:

- the site is located in a priority 6 zone which is a low level priority;
- the site is very well served by parks; and
- a park on the site would duplicate and conflict with the facilities currently provided in Malga Reserve.

The planning proposal would not impede the ongoing implementation of the Open Space Acquisition Strategy.

Q4A. Does the proposed instrument give effect to the local strategic planning statement of Council

A local strategic planning statement as required under the recent changes the Environmental Planning and Assessment Act 1979 is not required to be in place until mid-2019. A local strategic planning statement is to implement actions in the regional and district plans, and Council's own priorities in the Community Strategic Plan 2030. The planning proposal implements actions in the regional and district plans and is consistent with priorities in the Community Strategic Plan as outlined above.

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

Table 3 below details the consistency of the Planning Proposal with State Environmental Policies (SEPPs) or Deemed SEPPs.

Table 3: SEPP Compliance Table

State Environmental Planning Policy (SEPP) or Deemed SEPP		Consistency
SEPP	(Vegetation in Non-Rural Areas) 2017	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP No 55	Remediation of Land	See discussion below
SEPP No 65	Design Quality of Residential Apartment Development	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Affordable Rental Housing) 2009	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Housing for Seniors or People with a Disability) 2004	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Building Sustainability Index: BASIX) 2004	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Infrastructure) 2007	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Exempt and Complying Development Codes) 2008	Consistent. Any future development application on the site would be subject to the provisions of the SEPP.
SEPP	(Urban Renewal) 2010	Consistent. Any future development application on the site would be

State Environmental Planning Policy (SEPP) or Deemed SEPP		Consistency
		subject to the provisions of the SEPP.
SREPP	(Sydney Harbour Catchment) 2005	Consistent. Any future development application on the site would be subject to the provisions of the deemed SEPP.

The planning proposal's compliance and consistency with the above SEPPs and deemed SEPP would be determined during the assessment of a development on the subject site.

State Environment Planning Policy No 55 – Remediation of Land

Pursuant to Clause 6(1) of SEPP55, a planning proposal should not be prepared unless:

- (a) the planning authority has considered whether the land is contaminated, and*
- (b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and*
- (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.*

Stage 1 and Stage 2 contamination investigations have been undertaken at the site (see **Appendix 3 and 4** respectively). The Stage 1 report identified a number of areas of environmental concern from past activities, including uncontrolled demolition, uncontrolled filling, application of herbicides/pesticides and chemical storage. It concluded that the site could be made suitable (from a land contamination perspective) for future land use settings subject to further assessment, management and remediation. The Stage 2 assessment concluded:

- *the detected concentrations of identified contaminants of potential concern in the soils assessed are considered unlikely to present an unacceptable direct contact human health exposure risk, with the exception of lead in soil at sampling point TP16 (AEC03) and benzo(a)pyrene TEQ at sampling point TP17 (AEC03);*
- *the detected concentrations of identified contaminants of potential concern in the soils assessed are considered unlikely to present an unacceptable inhalation / vapour intrusion human health exposure risk;*
- *the detected concentrations of identified contaminants of potential concern in the soils assessed are considered unlikely to present a petroleum hydrocarbon management limit risk;*
- *the asbestos detected in the soils assessed, are considered unlikely to present an unacceptable human health exposure risk, with the exception of soils in the northern portion of AEC04;*
- *the concentrations of contaminants of potential concern in the central and northern portions of AEC09 (footprint of former market garden underlying existing club house),*

have not been assessed, due to access constrained by the presence of the existing club house building; and

- *the site could be made suitable for the proposed land use setting, subject to*
 - *assessment of soils in the central and northern portions of AEC09 (former market garden);*
 - *further assessment (and potential management/ remediation) of lead in soil in the vicinity of sampling point TP16 in AEC03*
 - *further assessment (and potential management/ remediation) of benzo(a)pyrene TEQ in soil in the vicinity of sampling point TP17 in AEC03; and*
 - *management/remediation of asbestos in soil in the northern portion of AEC04.*

The Stage 2 report recommended as follows:

- *a supplementary contamination assessment should be undertaken to:*
 - *characterise the nature and extent of potential soil contamination in the central and northern portions of AEC09, following removal of the existing clubhouse building;*
 - *further characterise the nature and extent of lead in soil risks at sampling point TP16 and benzo(a)pyrene (TEQ) in soil risks at sampling point TP17 in AEC03; and*
 - *further characterise the nature and extent of asbestos in soil in the northern portion of AEC04;*
- *consideration should be given to preparation of a remedial action plan (RAP), which includes a strategy for implementing the supplementary contamination assessment works recommended, and which includes a preferred remedial strategy for addressing identified asbestos in soil risks. It is noted that an addendum to the RAP may be required in the event that unacceptable contamination risks are identified in AEC09 and EC03, which require management and/or remediation.*

The Stage 1 and 2 Reports satisfy the requirements of SEPP55 for the purposes of ensuring the planning authority is satisfied that the site can be remediated to be suitable for the purposes for which land in the zone concerned is permitted to be used. A Remedial Action Plan (RAP) may be required to be prepared prior to any development being completed on the site.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The following table identifies the proposal's consistency with relevant Ministerial Directions.

Section 9.1 Directions	Consistency of Planning Proposal
2.1 Environment Protection Zones <u>Objective</u> (1) The objective of this direction is to protect and conserve environmentally sensitive areas.	Consistent. The site is not within an environmental protection zone. Environmental provisions of the LEP would continue to apply to the site.
3.1 Residential Zones <u>Objectives</u>	Consistent. This planning proposal would rezone an area to allow for medium density residential

<p>(1) The objectives of this direction are:</p> <p>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</p> <p>(b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>developments which would encourage housing choice which meets the changing needs of Sydney's population. The future residents of the site would have excellent access to existing infrastructure and services. The planning proposal is entirely consistent with relevant strategic planning considerations provided for the Greater Sydney Region and locally for Ku-ring-gai Council.</p> <p>The LEP does not contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it).</p> <p>However, given the site is in an established urban area it is expected that all urban utility services are available or can be readily augmented to meet the needs of the development allowed by this planning proposal. Inconsistency with this requirement is justified because it is of minor significance.</p> <p>The planning proposal will not reduce the permissible residential density of the land.</p>
<p>3.4 Integrating Land Use and Transport</p> <p><u>Objectives</u></p> <p>(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:</p> <p>(a) improving access to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight..</p>	<p>Consistent. The planning proposal rezones land in an existing urban area that has good connections to the surrounding road network and to public transport and is within walking distance to an existing centre.</p>
<p>4.1 Acid Sulfate Soils</p> <p><u>Objective</u></p> <p>(1) The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>Consistent. A review of the New South Wales Department of Land and Water Conservation (NSW DLWC 1997, 2nd Ed) Acid Sulfate Risk Map series for Prospect – Parramatta River indicates that the site lies in an area mapped as 'No Known Occurrence' with respect to acid sulfate soils.</p>

<p>4.3 Flood Prone Land</p> <p><u>Objectives</u></p> <p>(1) The objectives of this direction are:</p> <p>(a) to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) to ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>Consistent. There is no available information to suggest that the site floods. Drainage infrastructure running through the site would have to be managed during any site redevelopment.</p>
<p>4.4 Planning for Bushfire Protection</p> <p><u>Objectives</u></p> <p>(1) The objectives of this direction are:</p> <p>(a) to protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) to encourage sound management of bush fire prone areas.</p>	<p>Consistent. The site is not identified as bushfire prone land.</p>
<p>6.1 Approval and Referral Requirements</p> <p><u>Objective</u></p> <p>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	<p>Consistent. The planning proposal does not include provisions that require the concurrence, consultation or referral of future DAs to a Minister or Public Authority.</p>
<p>6.2 Reserving Land for Public Purposes</p> <p><u>Objectives</u></p> <p>(1) The objectives of this direction are:</p> <p>(a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	<p>Justifiably inconsistent. The Secretary's approval is sought through this Planning Proposal.</p> <p>During the reclassification process of the site in 2015, all interests were formally discharged from the land – including the caveat and associated trust relating to the site being held as a Public Reserve.</p> <p>As previously stated, the site was leased by Council to East Roseville Bowling Club for use of the site for the purposes of a Bowling Club. Due to declining membership East Roseville Bowling Club terminated their lease with Council in October 2017 leaving the land vacant. The land is therefore no longer required for the original purposes it was acquired being a Bowling Club.</p> <p>Additionally, as indicated above, the site is not considered suitable for use as public land for open space when assessed against the principles and criteria provided by Council's OSAS. The following reasons are provided for its unsuitability:</p> <ul style="list-style-type: none"> • the site is located within a priority 6 zone which is a low level priority area; • the site is already very well serviced by parks and public open space; and

	<ul style="list-style-type: none"> a park or public open space on the site would duplicate and conflict with the facilities already provided in Malga Reserve. <p>Ku-ring-gai Council is the relevant public authority.</p>
6.3 Site Specific Provisions <u>Objective</u> (1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Consistent. The proposal does not contain any restrictive site specific planning controls.
7.1 Implementation of A Plan for Growing Sydney <u>Objective</u> (1) The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.	Consistent. The potential development of the site for medium density residential purposes will contribute to meeting local housing needs in the Metropolitan Plan.

Should the planning proposal be supported at Gateway Determination, further detail on its consistency with the above Ministerial Directions will be provided following consultation with relevant public and private authorities.

Section C – Environmental, Social and Economic Impact

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

There are no records of threatened species on the site. The remnant trees provide some marginal habitat for highly mobile and urban adapted species. There is no critical habitat within or adjoining the site.

There is no endangered ecological communities mapped on the site, however there is a small patch of vegetation adjoining the southern boundary which may be Coastal Shale Sandstone Forest or the Duffy's Forest Ecological Community. Any future development is required to be designed and sited to avoid impacts to remnant vegetation. Construction would be required to protect trees and comply with AS 4970-2009 Protection of trees on development sites and the relevant provisions of the Ku-ring-gai Development Control Plan and Local Environmental Plan.

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

Any redevelopment of the site consequential to action following this planning proposal would result in additional traffic generation. The implications of this on the adequacy of access to the site (for construction and operation) and capacity of the local road network to accommodate additional traffic should be investigated further as part of this planning proposal.

The planning proposal proposes density and building height development standards for the site that are typical of land within R3 Medium Density Residential. This is an FSR of 0.8:1 and a maximum building height of 11.5 metres. The suitability of these development

standards should be investigated further as part of this planning proposal through urban design analysis having regard to factors such as:

- Existing drainage infrastructure and easements;
- Proximity to the rear yards of adjoining residential development.

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

Yes. The planning proposal will have social benefits for the community in that it will facilitate future residential development within the locality that would provide additional housing stock and diversity that is more affordable. The public interest is best served by the orderly and economic use of land for permissible purposes in a form which is cognisant of and does not impact unreasonably on development on surrounding land and which satisfies the need for economic development of the land.

At the Ordinary Meeting of Council on 8 May 2018 it was resolved that any future sale of the East Roseville Bowling Club site could raise funds to contribute to the restoration and expansion of Council assets such as the East Lindfield Community Centre (see **Appendix 2**). The rezoning of the site will have social benefits for the community in that it enables scarce public funds to be used for purposes identified by the Council.

In relation to the economic impacts, the rezoning sought by the planning proposal will allow the future upgrade and redevelopment of the site pursuant to the site's new R3 Medium Density zoning under the LEP. The planning proposal will enable a positive public economic impact in facilitating the orderly and economic development of an under-utilised Council asset.

Section D – State and Commonwealth Interests

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

The proposal may result in a minor increase in demand for facilities in an existing residential area where all utility services are available.

Consultation with key agencies regarding infrastructure capacity to service the site was not undertaken prior to the lodgement of this planning proposal to the Department of Planning and Environment. Consultation will need to be undertaken with public authorities.

Consultation with State and Commonwealth agencies will be undertaken in accordance with Section 5 of this planning proposal.

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

At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning and Environment. Consultation with the following Government authorities, agencies and other stakeholders in regard to this planning proposal are proposed to include:-

- NSW Department of Planning and Environment;
- Roads and Maritime Services NSW;

- Sydney Water Corporation;
- Ausgrid;
- Transport for NSW.

Council seeks confirmation of the above list through the Minister's Gateway Determination.

PART 4 – MAPPING

Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies

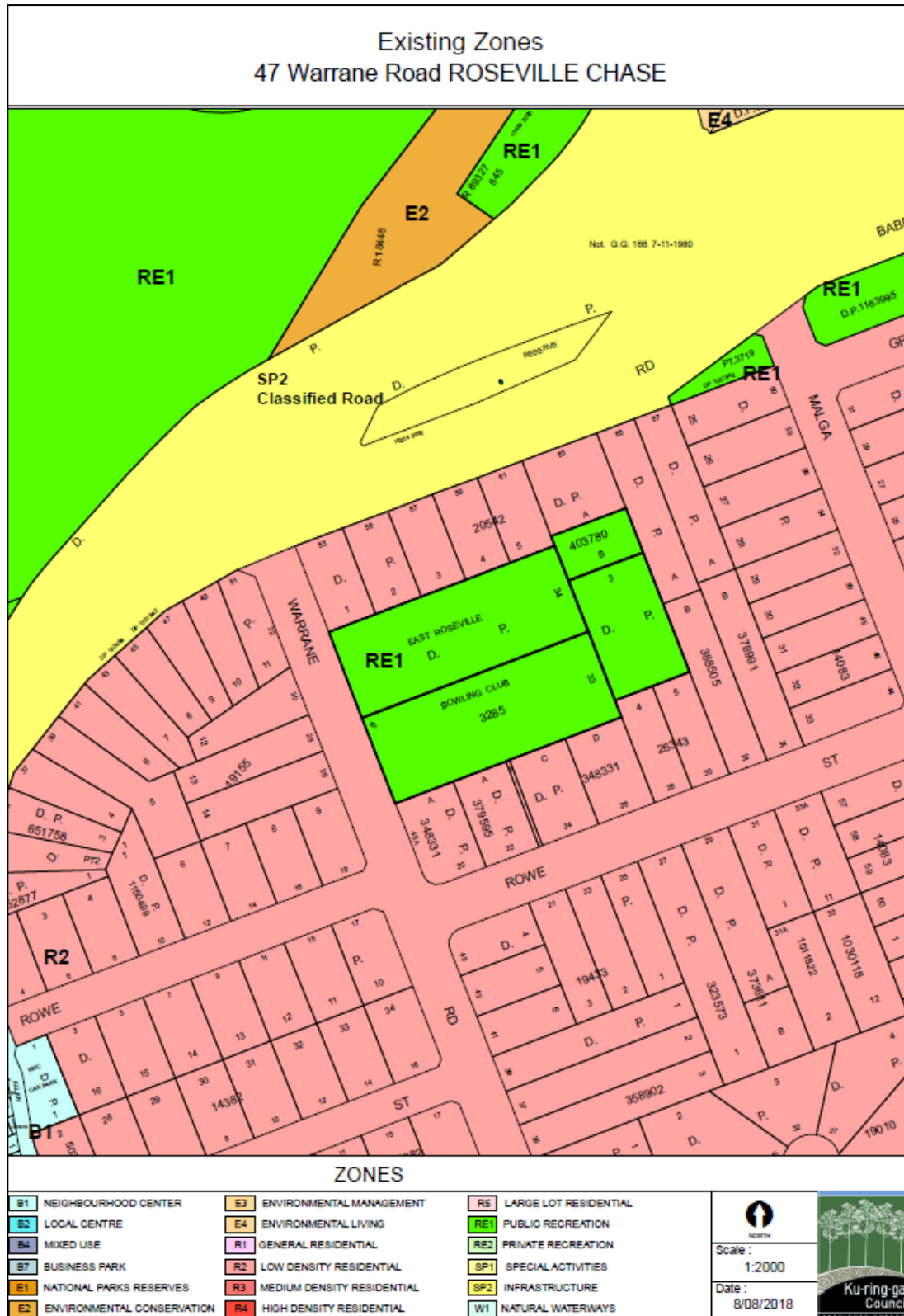
The amendments sought in this Planning Proposal will require changes to the LEP mapping sheets.

Indicative maps are included in this section as well as excerpts of the site with its current mapping alongside its proposed mapping.

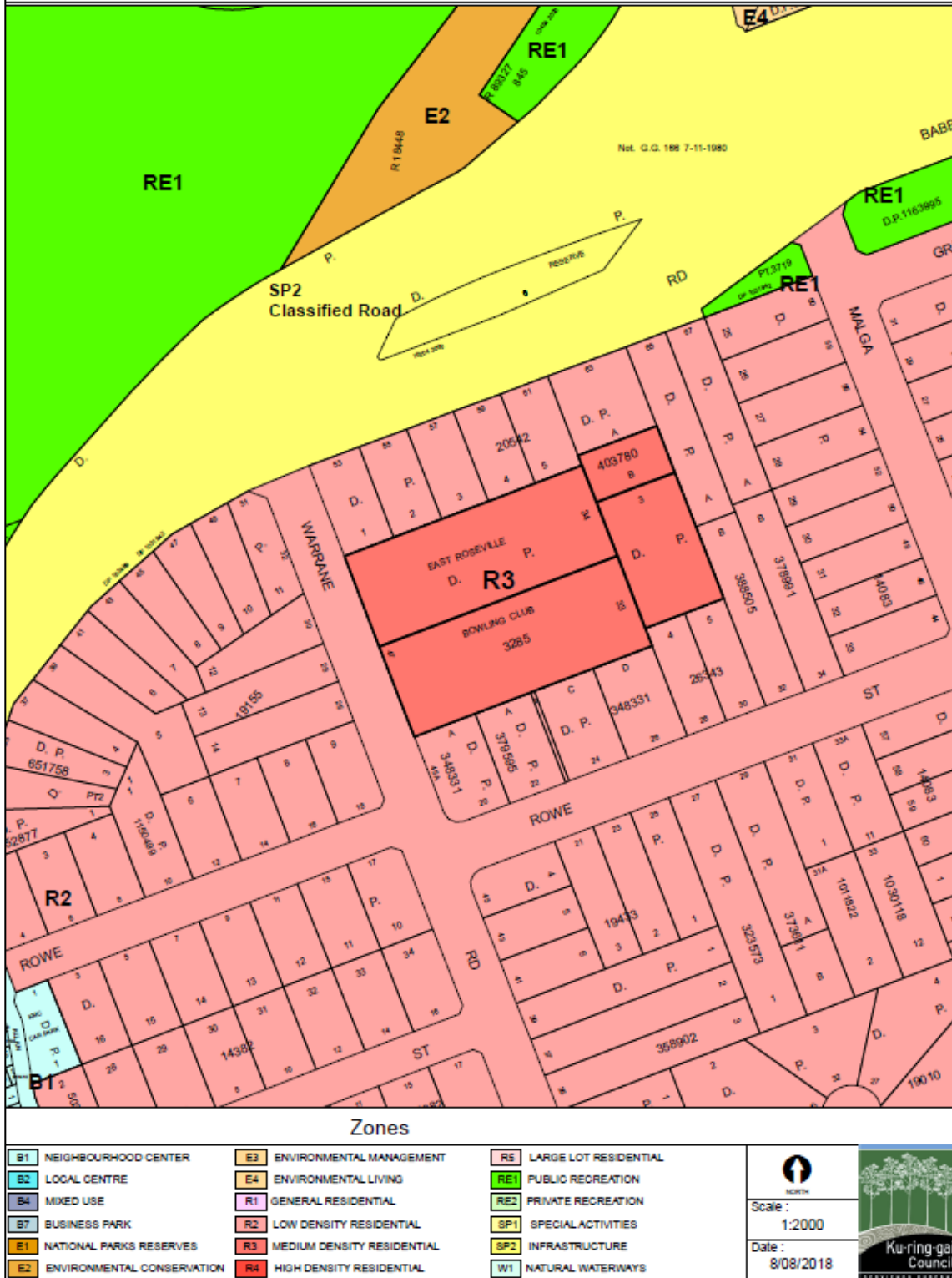
Amendments to the following Ku-ring-gai Local Environmental Plan 2015 maps are proposed:

1. Zoning Map
2. Floor Space Ratio
3. Height of Building Map
4. Minimum Lot Size Map

1. Zoning Map



Proposed Zoning R3 47 Warrane Road ROSEVILLE CHASE



2. Floor Space Ratio Map



**Proposed Floor Space Ratio - 0.8
47 Warrane Road ROSEVILLE CHASE**



Floor Space Ratio

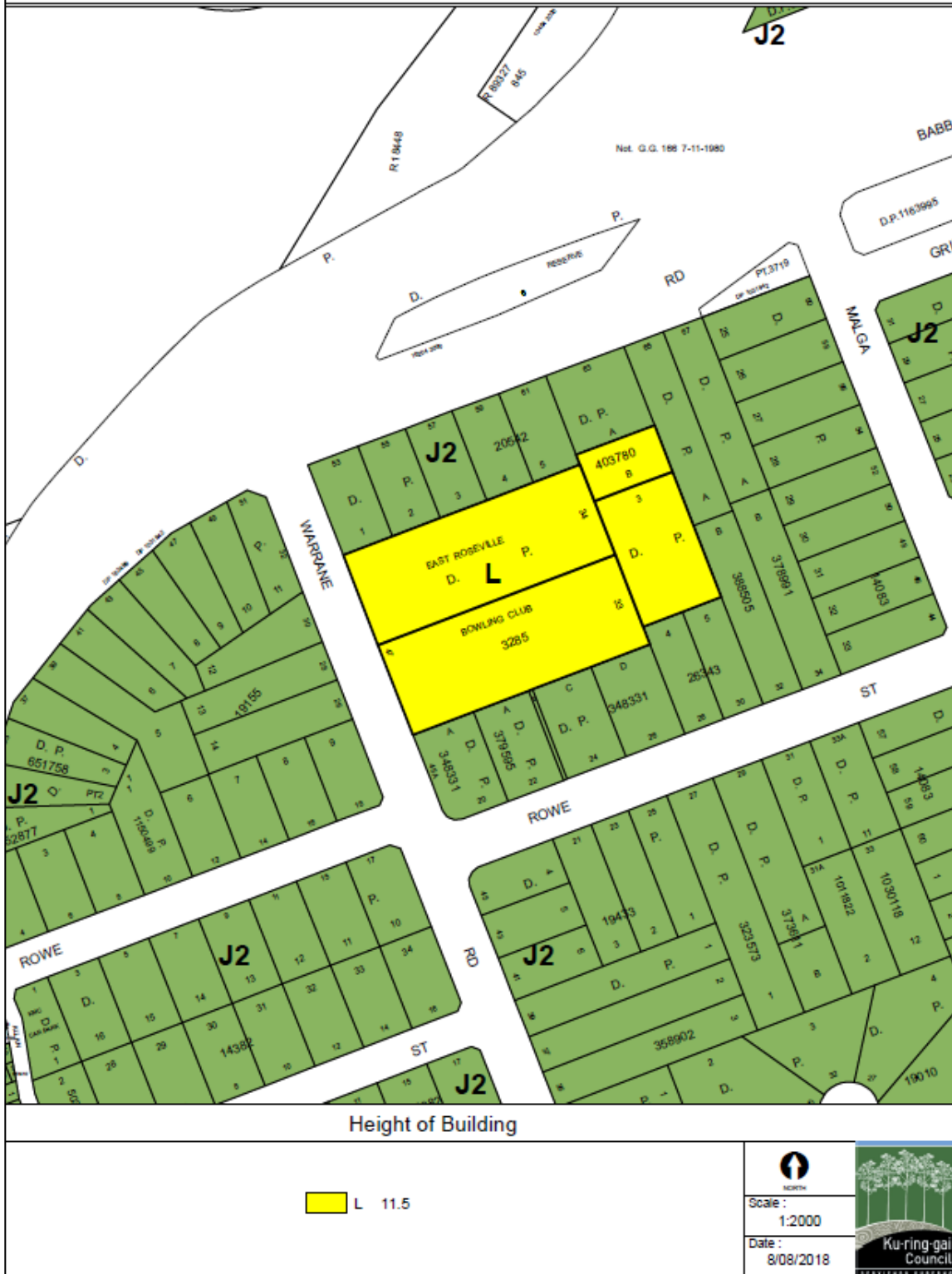
J 0.8

 Scale : 1:2000 Date : 8/08/2018	 Kuring-gai Council
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3. Height of Building Map



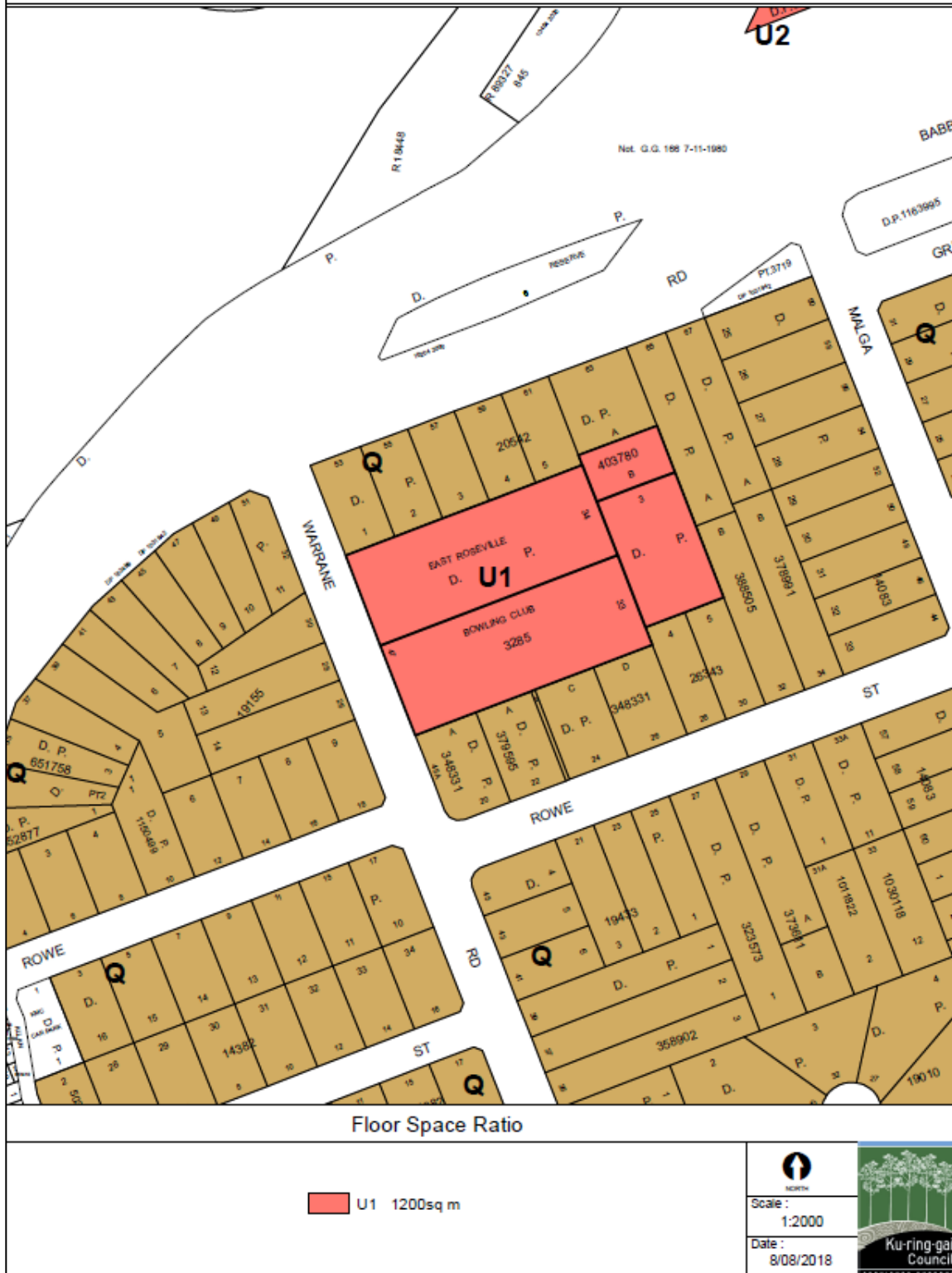
Proposed Height of Building - 11.5
47 Warrane Road ROSEVILLE CHASE



4. Minimum Lot Size Map



**Proposed Minimum Lot Size - 1200sq m
47 Warrane Road ROSEVILLE CHASE**



PART 5 – COMMUNITY CONSULTATION

Extensive community consultation on the planning proposal will be undertaken by Ku-ring-gai Council (subject to receiving a determination to proceed at Gateway) in accordance with the publication '*A Guide to Preparing Local Environmental Plans*', published by the Department of Planning. Community consultation will not be commenced prior to obtaining approval from the Minister or Director-General. The notification and consultation process will be initiated after the Section 3.33 submission has been sent to the Department of Planning and Environment.

Council's consultation methodology will include, but not be limited to, the following:-

- forwarding a copy of the planning proposal, the gateway determination and any relevant supporting studies or additional information to State and Commonwealth Public Authorities identified in the gateway determination;
- undertaking consultation if required in accordance with requirements of a Ministerial Direction under Section 9.1 of the EP&A Act and/or consultation that is required because, in the opinion of the Minister (or delegate), a State or Commonwealth public authority will be or may be adversely affected by the proposed amendments to the LEP
- giving notice of the public exhibition in the main local newspaper (the North Shore Times);
- exhibiting the planning proposal in accordance with the gateway determination. It is assumed this would require an exhibition period of at least 28 days duration;
- exhibiting the planning proposal pursuant to Schedule 1 Clause 4 of the EP&A Act and all supporting documentation at Council's Administration Centre and on Council's website;
- notifying of the planning proposal's exhibition on Council's website, including providing copies of the planning proposal, all supporting studies and additional information and the gateway determination;
- notifying affected landowners and adjoining land owners where relevant;
- any other consultation methods deemed appropriate for the proposal.

PROJECT TIMELINE

The timeline for the progression for this planning proposal is indicated in the following table.

Stage	Timing
Anticipated lodgement date	August 2018
Anticipated date for Gateway determination	August 2018
Anticipated timeframe for additional technical information	September 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	October 2018 28 days Run concurrently with exhibition period
Commencement and completion dates for public exhibition period	October 2018 28 days exhibition Plus notification and advertisement period
Timeframe for consideration of submissions	November 2018 4 weeks for consideration
Timeframe for the consideration of a proposal post-exhibition	November 2018 2 weeks for reporting
Legal drafting	November 2018 6 weeks
Anticipated date Relevant Planning Authority (RPA) (Kuring-gai Council) will forward to the Department of Planning and Environment	December 2018



APPENDICES



APPENDIX 1

Report to Council and Resolution – Ordinary Meeting 8 May 2018



APPENDIX 2

Notice of Motion – Ordinary Meeting 8 May 2018



APPENDIX 3

Stage 1 Preliminary Site Investigation prepared by Alliance Geotechnical



APPENDIX 4

Stage 2 Detailed Site Investigation prepared by Alliance Geotechnical



APPENDIX 5

Title Information
