

### Planning Proposal - land bounded by Falcon, Alexander and Burlington Streets and Willoughby Lane, Crows Nest

**Proposal Title :** Planning Proposal - land bounded by Falcon, Alexander and Burlington Streets and Willoughby Lane, Crows Nest

**Proposal Summary :** The Planning Proposal seeks to amend North Sydney Local Environmental Plan 2001 to redevelopment of land bound by Falcon, Alexander and Burlington Streets and Willoughby Lane, Crows Nest for the purpose of a supermarket, an above ground multi-level public car parking facility, specialty shops and electrical substation.

**PP Number :** PP\_2012\_NORTH\_004\_00      **Dop File No :** 12/10161

#### Proposal Details

**Date Planning Proposal Received :** 07-Jun-2012      **LGA covered :** North Sydney

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

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

**LEP Type :** Spot Rezoning

#### Location Details

**Street :** 6-8 Falcon Street

**Suburb :** Crows Nest      **City :** NSW      **Postcode :** 2065

**Land Parcel :** Lot 1 DP 314750

**Street :** 10 Falcon Street

**Suburb :** Crows Nest      **City :** NSW      **Postcode :** 2065

**Land Parcel :** Lots 1-3 DP 455869, Lot 13 Sec 4 DP 1265

**Street :** Willoughby Lane

**Suburb :** Crows Nest      **City :** NSW      **Postcode :** 2065

**Land Parcel :** Lot 1 DP 104029

**Street :** 34-42 Alexander Street

**Suburb :** Crows Nest      **City :** NSW      **Postcode :** 2065

**Land Parcel :** Lot 10 Sec 4 DP 1265, Lot 11 Sec DP 1265, Lot 12 Sec 4 DP 1265, Lot 1 DP 1081820, Lot 1 DP 185720

## Planning Proposal - land bounded by Falcon, Alexander and Burlington Streets and Willoughby Lane, Crows Nest

### DoP Planning Officer Contact Details

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### RPA Contact Details

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### DoP Project Manager Contact Details

Contact Name :  
Contact Number :  
Contact Email :

### Land Release Data

|                                       |                                    |                                                            |            |
|---------------------------------------|------------------------------------|------------------------------------------------------------|------------|
| Growth Centre :                       |                                    | Release Area Name :                                        |            |
| Regional / Sub<br>Regional Strategy : | <b>Metro Inner North subregion</b> | Consistent with Strategy :                                 | <b>Yes</b> |
| MDP Number :                          |                                    | Date of Release :                                          |            |
| Area of Release (Ha)<br>:             |                                    | Type of Release (eg<br>Residential /<br>Employment land) : |            |
| No. of Lots :                         | <b>0</b>                           | No. of Dwellings<br>(where relevant) :                     | <b>0</b>   |
| Gross Floor Area :                    | <b>0</b>                           | No of Jobs Created :                                       | <b>194</b> |

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

If No, comment :

Have there been **No**  
meetings or  
communications with  
registered lobbyists? :

If Yes, comment :

### Supporting notes

Internal Supporting  
Notes : **The site currently contains:**  
**- a Woolworths supermarket building fronting Falcon and Alexander Streets, with loading facilities using part of Willoughby Lane,**  
**- a restaurant building fronting Falcon Street,**  
**- a Council-owned car park with 132 car spaces fronting Alexander and Burlington Streets and part of Willoughby Lane,**  
**- five specialty shops fronting Burlington and Alexander Streets, and**  
**- an amenities block fronting Burlington Street.**

**The Planning Proposal is revised from a previous proposal for this site**

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(PP\_2010\_NORTH\_002\_00), which proceeded past Gateway stage but was discontinued prior to the commencement of community consultation.

The previous proposal involved the rezoning of the site to the Commercial zone and introduction of a building height control of 16m.

The revised Planning Proposal involves:  
rezoning of the site to the Commercial zone ,  
a height control of 19.15m,  
a site specific provision enabling a car park as an additional permitted use, and  
reaffirming the classification of the land as "operational" under the Local Government Act 1993.

Council also proposes to amend the North Sydney Development Control Plan 2002 in relation to building heights, setbacks and public car parking on the site. These amendments are proposed to be exhibited concurrently with the Planning Proposal.

External Supporting  
Notes :

### Adequacy Assessment

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

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

Comment : **Adequate. The objective of the Planning Proposal is to amend the NSLEP 2001 to enable a replacement supermarket, above ground multi-level car parking facility, replacement specialty shops and an electrical substation as part of the redevelopment of the site.**

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

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

Comment : **Adequate. The Planning Proposal comprises the following amendments:**  
**1. Rezone the land from part Mixed Use and part Special Uses - Parking to Commercial for the whole of the site,**  
**2. Include a site specific provision enabling development for the purposes of a car park as an additional permitted use on the site,**  
**3. Introduce a height control of 19.15m for the site, and**  
**4. Reaffirm the classification of Council-owned land on the site as "operational" under the Local Government Act 1993.**

#### 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**  
**3.1 Residential Zones**  
**3.4 Integrating Land Use and Transport**  
**6.1 Approval and Referral Requirements**  
**6.2 Reserving Land for Public Purposes**  
**6.3 Site Specific Provisions**  
**7.1 Implementation of the Metropolitan Plan for Sydney 2036**

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

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

d) Which SEPPs have the RPA identified?

**SEPP No 55—Remediation of Land**  
**SEPP (Infrastructure) 2007**

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

The Planning Proposal is consistent with the above section 117 Directions and SEPPs, with the exception of Direction 3.1 Residential Zones. The Planning Proposal seeks to rezone land from Mixed Use to Commercial, which removes the requirement, under Clause 32(2) of NSLEP 2001, that any new development on this land contain a residential component. The proponent has indicated that North Sydney Council has been able to identify housing for over 8,000 dwellings within their LGA by 2031, and that the INDSS target of 5,500 dwellings by 2031 is attainable without the inclusion of the subject site. Therefore, the inconsistency with this Direction is considered of minor significance and it is recommended that the Director-General approve the inconsistency.

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 : **Aerial photograph of site and current zoning and height maps provided. No proposed amendment maps provided.**

**Community consultation - s55(2)(e)**

Has community consultation been proposed? **Yes**

Comment : **The RPA proposes to exhibit the planning proposal in accordance with community consultation requirements issued under the Gateway Determination.**

**A community consultation period of 14 days was required under the Gateway Determination for the original Planning Proposal for this site and is considered appropriate for this resubmitted Planning Proposal.**

**In accordance with section 29 of the Local Government Act 1993, a public hearing is proposed to be undertaken in relation to the proposed reaffirming of Council-owned land as "operational".**

**Additional Director General's requirements**

Are there any additional Director General's requirements? **N/A**

If Yes, reasons :

**Overall adequacy of the proposal**

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

If No, comment :

**Proposal Assessment**

**Principal LEP:**

Due Date : **September 2012**

Comments in relation to Principal LEP : **The draft Principal LEP was exhibited in early 2010 and is presently at section 68 stage. Under the draft LEP, the site is zoned B3 Commercial Core and has a height control of 16m. This is consistent with the amendments proposed under the original Planning Proposal for this site (PP\_2010\_NORTH\_002\_00).**

**Assessment Criteria**

Need for planning proposal : **Adequate. The proposed amendments will enable the redevelopment of the site for: a larger multi-level supermarket, a larger and above ground multi-level public car parking**

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Consistency with strategic planning framework :

facility, replacement specialty shops and electrical substation. The increased building height control of 19.15m has been proposed to enable an optimal building design for the redeveloped site. Concurrent amendments to the North Sydney Development Control Plan 2002 will further guide the design of the site.

It is consistent with the Metropolitan Plan for 2036, and the draft Inner North Subregional Strategy in that the proposal aims to intensify an employment generating use close to public transport opportunities.

Permitting the rezoning to 'Commercial zone' will not adversely affect the residential capacity of the North Sydney LGA.

Environmental social economic impacts :

The proposal will have a positive effect on the local economy and community by enhancing the site as centre based retailing that is an employment generator, and provides improved parking facilities in the area.

The traffic report provided by the proponent indicates that the surrounding road network can cater for the additional traffic generated by the proposal, and that the provision of car spaces is considered appropriate and would improve parking within the Crows Nest Town Centre.

An Economic Needs Assessment provided by the proponent summarises that the economic impact of the proposal on the surrounding area would likely be shared and would not detrimentally affect the performance of any one store.

### Assessment Process

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

Timeframe to make LEP : **9 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **Transport for NSW - Roads and Maritime Services**

Is Public Hearing by the PAC required? **Yes**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons : **This planning proposal will enhance the centre's facilities and act as an employment generator.**

**It is unlikely to adversely impact on the surrounding area.**

Resubmission - s56(2)(b) : **No**

If Yes, reasons : **Traffic Report & Economic Needs Assessment provided as part of Planning Proposal.**

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

**No internal consultation required**

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Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

**Documents**

| Document File Name                                                                     | DocumentType Name        | Is Public |
|----------------------------------------------------------------------------------------|--------------------------|-----------|
| North Sydney PP 4 June 2012 - covering letter.pdf                                      | Proposal Covering Letter | Yes       |
| North Sydney PP 4 June 2012 - Council report.pdf                                       | Proposal                 | Yes       |
| North Sydney PP 4 June 2012 - Planning Proposal.pdf                                    | Proposal                 | Yes       |
| North Sydney PP 4 June 2012 - Economic Need Assessment Pitney Bowes.pdf                | Study                    | Yes       |
| North Sydney PP 4 June 2012 - site aerial photo and map.pdf                            | Photograph               | Yes       |
| North Sydney PP 4 June 2012 - Review against Draft Centres Policy.pdf                  | Study                    | Yes       |
| North Sydney PP 4 June 2012 - Transport Report Colston Budd Hunt and Kafes Pty Ltd.pdf | Study                    | Yes       |

**Planning Team Recommendation**

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:      **1.1 Business and Industrial Zones**  
                                 **3.1 Residential Zones**  
                                 **3.4 Integrating Land Use and Transport**  
                                 **6.1 Approval and Referral Requirements**  
                                 **6.2 Reserving Land for Public Purposes**  
                                 **6.3 Site Specific Provisions**  
                                 **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information :      **It is recommended this planning proposal proceed without variation.**

**The Planning proposal be placed on public exhibition for 14 days.**

**That the Roads and Maritime Services be consulted as part of this LEP process.**

Supporting Reasons :      **The proposal is consistent with the Metropolitan Plan for 2036 and Inner North Subregional Strategy, and relevant EPI's applying to the project site.**

Signature:



Printed Name:

SUSAN SKY

Date:

15 June 2012.