

PLANNING PROPOSAL

197 – 199 Lyons Road, DRUMMOYNE

June 2014

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197 – 199 Lyons Road Drummoyne

1. Introduction

This planning proposal recommends an amendment to the *City of Canada Bay Local Environmental Plan 2013*.

The planning proposal responds to an application made to Council by Cityscape Planning + Projects in April 2014. The proposal seeks to rezone land at 197-199 Lyons Road Drummoyne from R2 Low Density Residential to B1 Neighbourhood Centre.

2. The site

The site located in Drummoyne in the City of Canada Bay Local Government area. It is known as 197-199 Lyons Road Drummoyne and is comprised of two lots being:

- Lot 100 DP 802582
- Lot 18 DP 5229

The land is located on the southern side of Lyons Road, 20m east of its intersection with Janet Street. The land is part affected where it adjoins Lyons Road to the north, by land reservation for the purpose of a classified road.

3. Site Identification



Figure 1: Aerial photograph of the subject location described and outlined in red.

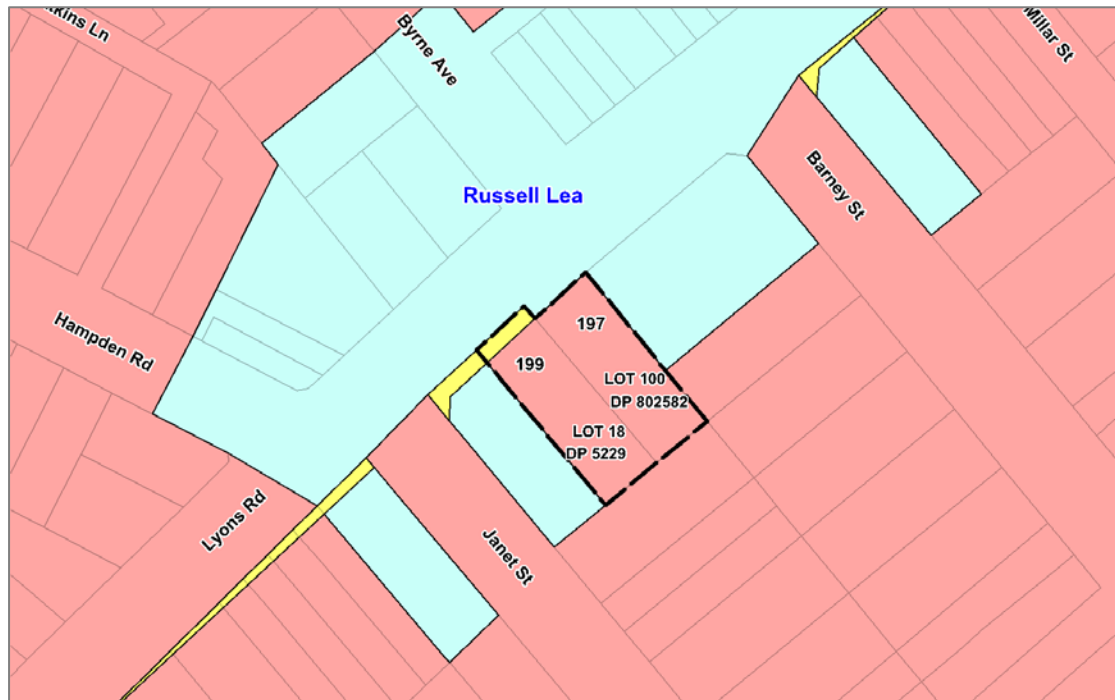


Figure 2: Zoning map of the subject location, described and outlined in red.

4. PART 1 – Objectives and Intended Outcomes

The objective of the planning proposal is to enable the subject site to be developed for the purposes of a mixed use development.

The intended outcome is to ensure the built form provides maintains active commercial street frontage with nil setback.

5. PART 2 – Explanation of Provisions

Canada Bay Local Environmental Plan 2013	Amendments
I. Land Zoning Map Sheet LZN_006	I. Amend R2 Low Density Zone to B1 Neighbourhood Zone
II. Flood Space Ratio Map Sheet FSR_006	II. Amend 'D' 0.50:1 to 'N' 1.0:1
III. Lot Size Map Sheet LSZ_006	III. Remove affection. No minimum lot size applies.

6. PART 3 – Justification

Section A - Need for a planning proposal

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

The Planning Proposal is consistent with the Canada Bay Local Planning Strategy 2010, centres strategy and housing objective that seeks to 'Support and revitalise traditional local centres'.

An Urban Renewal Study, prepared by cityscapeplanning+projects is included as an attachment.

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

The planning proposal reflects a logical and appropriate way to achieve the objectives and intended outcomes of providing mixed use development over the subject site.

Is there a net community benefit?

The subject site is within an existing centre on Lyons Road, Drummoyne with good access to public buses. It is located between the suburbs of Drummoyne and Five Dock, which provide shops and general services in close proximity to the subject site.

The planning proposal will provide additional employment opportunities within the existing centre and increase the opportunity for additional housing supply, having the potential to positively impact on housing affordability within the LGA.

The planning proposal will permit existing dwelling houses to be replaced by mixed use development along Lyons Road between Janet and Barney Streets, providing an opportunity to improve the connectivity of commercial frontages within the retail precinct. The proposal will also make efficient use of the existing infrastructure through increased business and residential premises in an existing established centre.

Section B - Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with the aims, objectives and provisions of the *Sydney Metropolitan Strategy 2036* which was released in December 2010. It is also consistent with the aims, objectives and provisions of the draft Inner West Subregional Strategy.

It is also consistent with Policy within the *draft Metropolitan Strategy for Sydney* in that it encourages mixed use development in an established centre where there is market demand and complementary land uses.

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?

The Planning Proposal is consistent with the aims, objectives and provisions of the Metropolitan Strategy (as supported by the *draft Inner West Subregional Strategy*).

Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

FuturesPlan20 (FP20) outlines the City's vision for the next 20 years. The City of Canada Bay has set targets, objectives and actions to achieve the themes outlined in FP20.

In summary the Planning Proposal is consistent with the following FP20 outcomes:

- My City has attractive streets, village centres and public spaces; and
- My City has a range of housing options.

The planning proposal is consistent with the City of Canada Bay Local Planning Strategy 2010-2031:

Objectives	Actions	Consistency
OH1 Provide for a mixture of Housing Types over the short to medium term	AH1 Prepare planning controls that promote a mix of housing types	Consistent
OH5 Increase residential densities in centres	AH12 Increase residential densities in, and in the immediate vicinity of, the existing centres of Drummoyne, Five Dock, Concord, Concord West and North Strathfield	Consistent
OE1 Continue to strengthen employment with business and retail development in local centres	AE2 Ensure the retention of small frontage shop premises on the ground floor to ensure an active and vibrant public domain.	Consistent
OT1 Integrate Land Use and Transport	AT2 Focus new development in areas within walking distance of centres and public transport	Consistent. The site is located adjacent to a bus stop within an existing centre.

Is the planning proposal consistent with the applicable state environmental planning policies?

Table 4 - State Environmental Planning Policies (SEPPs):

Note: SEPPs which have been repealed, or which were never finalised are not included in this Table

No.	SEPP Title	Consistency of Planning Proposal
1	Development Standards	Not applicable.
14	Coastal Wetlands	Not applicable.
15	Rural Landsharing Communities	Not applicable.
19	Bushland in Urban Areas	Not applicable.
21	Caravan Parks	Not applicable.
26	Littoral Rainforests	Not applicable.
29	Western Sydney Recreational Area	Not applicable.
30	Intensive Agriculture	Not applicable.
32	Urban Consolidation (Redevelopment of Urban Land)	The Planning Proposal involves a rezoning of land for mixed use development at a density and height consistent with the surrounding land. The Planning Proposal does not contain provisions that contradict or would

		hinder the application of this SEPP.
33	Hazardous and Offensive Development	Not applicable.
36	Manufactured Home Estates	Not applicable.
39	Spit Island Bird Habitat	Not applicable.
44	Koala Habitat Protection	Not applicable.
47	Moore Park Showground	Not applicable.
50	Canal Estate Development	Not applicable.
52	Farm Dams, Drought relief and Other Works	Not applicable.
55	Remediation of Land	Consistent
59	Central Western Sydney Economic and Employment Area	Not applicable.
62	Sustainable Aquaculture	Not applicable.
64	Advertising and Signage	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
65	Design Quality of Residential Flat Development	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
70	Affordable Housing (revised Schemes)	Not applicable.
71	Coastal Protection	Not applicable.
	SEPP (Building Sustainability index: BASIX) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
	SEPP (Housing for Seniors or People with a Disability) 2004	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
	SEPP (Major Development) 2005	Not applicable.
	SEPP (Sydney Region Growth Centres) 2006	Not applicable.
	SEPP (Infrastructure) 2007	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
	SEPP (Kosciuszko National Park-Alpine Resorts) 2007	Not applicable.

	SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
	SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.
	SEPP (Exempt and Complying Development Codes) 2008	Any exempt or complying development on the site will need to apply the provisions of the SEPP. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.
	SEPP (Rural Lands) 2008	Not applicable.
	SEPP (Western Sydney Parklands) 2009	Not applicable.
	SEPP (Affordable Rental Housing) 2009	Not applicable.
	State Environmental Planning Policy (Western Sydney Employment Area) 2009	Not applicable.
	SEPP (Urban Renewal) 2010	Not applicable.
	State Environmental Planning Policy (State and Regional Development) 2011	Not applicable.

Table 5 - Regional Environmental Plans (REPs) - Deemed SEPPs:

Note: Former REPs which have been repealed are not included in this Table

No.	REP Title	Consistency of LEP
5	Chatswood Town Centre	Not applicable.
6	Gosford Coastal Areas	Not applicable.
7	Multi-Unit Housing: Surplus Government Sites	Not applicable.
8	Central Coast Plateau Areas	Not applicable.
9	Extractive Industry (No 2 - 1995)	Not applicable.
10	Blue Mountains Regional Open Space	Not applicable.
11	Penrith Lakes Scheme	Not applicable.
13	Mulgoa Valley	Not applicable.
14	Eastern Beaches	Not applicable.
16	Walsh Bay	Not applicable.
17	Kurnell Peninsula (1989)	Not applicable.

18	Public Transport Corridors	Not applicable.
19	Rose Hill Development Area	Not applicable.
20	Hawkesbury-Nepean River (No. 2-1997)	Not applicable.
21	Warringah Urban Release Area	Not applicable.
24	Homebush Bay Area	Not applicable.
25	Orchard Hills	Not applicable.
26	City West	Not applicable.
27	Wollondilly Regional Open Space	Not applicable.
28	Parramatta	Not applicable.
30	St Marys	Not applicable.
31	Regional Parklands	Not applicable.
33	Cooks Cove	Not applicable
	Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Consistent. The Planning Proposal does not contain provisions that contradict or would hinder the application of this SEPP.

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

Table 6 - Review of consistency of the Planning Proposal with the Ministerial Directions under s.117 of the Environmental Planning & Assessment Act 1979:

1. Employment and Resources

No.	Title	Comment
1.1	Business and Industrial Zones	Consistent.
1.2	Rural zones	Not applicable.
1.3	Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4	Oyster Aquaculture	Not applicable.
1.5	Rural Lands	Not applicable.

2. Environment and Heritage

No.	Title	Comment
2.1	Environmental Protection Zones	Not applicable.

2.2	Coastal Protection	Not applicable.
2.3	Heritage Conservation	Not applicable.
2.4	Recreation Vehicle Areas	Not applicable.

3. Housing, Infrastructure and Urban Development

No.	Title	Comment
3.1	Residential Zones	Consistent
3.2	Caravan parks and Manufactured Home Estates	Not applicable.
3.3	Home Occupations	Consistent.
3.4	Integrating Land Use and Transport	Consistent. The Planning Proposal seeks to increase opportunity for mixed use development, within walking distance of existing and proposed public transport.
3.5	Development Near Licensed Aerodromes	Not applicable.

4. Hazard and Risk

No.	Title	Comment
4.1	Acid Sulfate Soils	Consistent. The site is identified as Class 5 Acid Sulfate Soils. The Canada Bay Local Environmental Plan 2013 contains provisions to ensure the appropriate management of site that may be affected by acid sulfate soils. The Planning Proposal is not considered to intensify the use of the land in the precinct to an extent that would warrant an acid sulfate soils study being undertaken.
4.2	Mine Subsidence and Unstable Land	Not applicable.
4.3	Flood Prone Land	Not applicable.
4.4	Planning for Bushfire Protection	Not applicable.

5. Regional Planning

No.	Title	Comment
5.1	Implementation of Regional Strategies	Not applicable.
5.2	Sydney Drinking Water Catchments	Not applicable.
5.3	Farmland of State and Regional Significance - NSW Far North Coast	Not applicable.

5.4	Commercial and Retail Development along the Pacific Highway	Not applicable.
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Not applicable.
5.8	Second Sydney Airport - Badgerys Creek	Not applicable.

6. Local Plan Making

No.	Title	Comment
6.1	Approval and Referral Requirements	Consistent.
6.2	Reserving Land for Public Purposes	Consistent
6.3	Site Specific Provisions	Consistent. The Planning Proposal does not impose any development standards or requirements in addition to those already contained in the LEP.

7. Metropolitan Planning

No.	Title	Comment
7.1	Implementation of the Metropolitan Strategy	Consistent.

Section C: Environmental, social and economic impact.

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

Council's Local Planning Strategy does not identify any endangered ecological communities, vulnerable species or areas of high biodiversity significance on the land. This information was sourced from an Estuary Vegetation Management Plan prepared in 2008, a Flora Inventory prepared in 2003 and a Fauna Survey prepared in 2003.

Therefore there is no likelihood that any critical habitat, threatened species or ecological communities will be adversely affected by the planning proposal.

Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are no other likely environmental effects as a result of the Planning Proposal.

How has the planning proposal adequately addressed any social and economic effects?

The planning proposal may provide positive economic impacts through:

- Improved housing diversity;
- Improved housing affordability; and
- Strengthening the neighbourhood retail precinct.

It is not expected that the planning proposal would generate any adverse social or economic impacts.

Section D: State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The site adjoins existing urban development, which enables connection to a full suite of urban services and infrastructure required to support the rezoning and subsequent development of the site.

Table 6 Availability of public infrastructure

Infrastructure	Availability	Comment
Public Transport	Available	The centre is serviced by public transport, which assists in reducing dependence on private car travel and pressures on the local road network. The site is located adjacent to larger centres of Drummoyne and Five Dock with well serviced public transport.
Utilities	Available	
Roads	Available	
Waste Management and Recycling services	Available	
Essential Services	Available	

What are the views of State and Commonwealth public authorities consulted in the gateway determination?

No consultation has been carried out at this stage with any State and/or Commonwealth Public Authorities or service providers; however, consultation will occur in accordance with the requirements of the Gateway Determination.

4. PART 4 – Mapping

The planning proposal will require the amendment of the Canada Bay Local Environmental Plan 2013, as described in the table below.

Canada Bay Local Environmental Plan 2013	Amendments
IV. Land Zoning Map Sheet LZN_006	IV. Amend R2 Low Density Zone to B1 Neighbourhood Zone
V. Flood Space Ratio Map Sheet FSR_006	V. Amend 'D' 0.50:1 to 'N' 1.0:1
VI. Lot Size Map Sheet LSZ_006	VI. Remove affection. No minimum lot size applies.

A copy of the amended LEP maps has been provided as a separate attachment.

5. PART 5 – Community Consultation

Details of the Community Consultation that is to be undertaken on the Planning Proposal

The Planning Proposal will be exhibited by Council in accordance with the requirements of section 57 of the Environmental Planning & Assessment Act 1979 and as required by the recommendations of the Gateway Determination.

It is proposed that the planning proposal will be placed on public exhibition for a minimum of 28 days. Notification of the community consultation will be provided in a local newspaper and on Council's website. In addition to this, adjoining landowners will be notified in writing.

During the public exhibition period the following documents will be placed on public exhibition:

- Planning Proposal;
- Urban Renewal Study;
- Gateway Determination; and
- Relevant Council reports.

6. PART 6 – Project Timeline

Stage	Completion Date
Commencement date of Gateway	Date of Gateway determination.
Completion of required technical information	Not applicable. Technical studies have already been completed to support the Planning Proposal.
Government agency consultation	As specified in Gateway determination. Anticipated timeframe is 28 days and to run concurrently with public exhibition period.
Commencement and completion dates for public exhibition	Dates are dependent on Gateway determination. Anticipated timeframe of public exhibition is 28 days.
Consideration of submissions	3 weeks.
Consideration of a proposal post exhibition	3 weeks.
Date of submission to the Department to finalise the LEP	To be determined.
Anticipated date RPA will make the plan (if delegated)	To be determined.
Anticipated date RPA will forward to the Department for	To be determined.

notification