

**ITEM 25 - 27 SPENCER STREET, FIVE DOCK - OUTCOME OF
EXHIBITION OF PLANNING PROPOSAL**

Department Planning and Environment

Author Initials: EMM

EXECUTIVE SUMMARY

The Planning Proposal to amend the Canada Bay Local Environmental Plan 2013 (LEP) to permit an additional use (Childcare Centre) at 25 – 27 Spencer Street, Five Dock has been publicly exhibited for forty-six (46) days from the 15 December 2015 to 29 January 2016.

In response to the exhibition, one (1) submission was received from Urban Growth NSW, who confirmed that development in the Parramatta Road corridor that proceeds prior to the finalisation of the draft Parramatta Road Urban Transformation Strategy should not set an undesirable precedent for the wider corridor. The Planning Proposal will not jeopardise the broad objectives contained within the draft Strategy or have significant implications for the delivery of important public infrastructure to support new communities along the corridor.

It is recommended that the Planning Proposal be forwarded to the Parliamentary Counsel Office (PCO) for gazettal.

STRATEGIC CONNECTION

This report supports FuturesPlan20 Outcome area:

“There are services that meet my needs”

This report also relates to the Canada Bay Local Planning Strategy, the Canada Bay Local Environmental Plan 2013 and the Child and Family Needs Strategy.

REPORT

Background

The Planning Proposal seeks an additional permitted use at 25 – 27 Spencer Street, Five Dock to permit a childcare centre. The Planning Proposal was lodged concurrently with a development application, which is currently under assessment.

The Planning Proposal was endorsed by council for public exhibition on 15 September 2015 and submitted to the NSW Department of Planning and

Environment and requested a Gateway Determination. This was issued on 17 November 2015 allowing the planning proposal to proceed to public exhibition.

Public Exhibition

Following the Gateway Determination from the Department of Planning and Environment, the exhibition of the Planning Proposal occurred from the 15 December 2015 to 29 January 2016 and involved the following:

- Letters sent to land owners along Regatta Road, Parramatta Road and Spencer Street 25 – 27 Spencer Street.
- Letter sent to Urban Growth NSW as directed by the Gateway Determination.
- The Planning Proposal and supporting documentation were publicly exhibited on the Council's website, and hard copies placed in Five Dock Library and Council's Civic Centre, Drummoyne.

Council received one (1) submission from Urban Growth NSW.

A summary of the submission with comments in response to the letter is provided below.

Urban Growth NSW submission

The subject site is located within the Kings Bay Precinct as identified in the draft Parramatta Road Urban Transformation Strategy. The public consultation of the draft strategy ended on the 18 December 2015 and Urban Growth NSW is now reviewing all feedback received. It is anticipated that the draft strategy will be finalised and adopted in June 2016.

Urban Growth NSW has worked cooperatively with Council to deliver land use and infrastructure planning for the Parramatta Road Corridor. Urban Growth supports Council's view that:

- There needs to be a holistic approach to the planning for the corridor.
- Permitting spot rezoning to proceed would establish an undesirable precedent for the wider corridor.
- Clear policy/mechanisms must be in place to ensure that coordinated planning and delivery of housing affordability, public transport, open space and social infrastructure.
- There is no public transport solution yet agreed for Parramatta Road in this location.

Review and comment from Council

The Planning Proposal seeks to allow a Childcare Centre as an additional permitted use on the site, whilst maintaining the existing IN1 General Industrial zone.

Council is in full agreement with Urban Growth NSW that Planning Proposals that undermine the delivery of the draft strategy for Parramatta Road or establish an undesirable precedent for the wider corridor should not be supported.

The subject Planning Proposal does not change the development standards applicable to the land or generate a significant demand for local infrastructure. The use of the site for the purpose of a child care centre is also consistent with the proposed mixed use zone envisaged for the Kings Bay Precinct.

The proposed child care centre will not undermine the broader objectives of the draft Parramatta Road Urban Transformation Strategy and is therefore considered appropriate to proceed prior to the finalisation of the draft Strategy.

Conclusion

Following exhibition of the Planning Proposal, one submission was received.

Technical studies were submitted in support of the Planning Proposal and sufficient information has been provided to demonstrate that traffic, air quality, electromagnetic energy levels and noise impacts can be appropriately addressed to facilitate a child care centre on the subject site. Further assessment of these matters will be undertaken as part of the development application process.

The Planning Proposal will facilitate an additional permitted use (Childcare Centre) that will not prejudice the broader objectives of the draft Parramatta Road Urban Transformation Strategy.

It is recommended that Council note the outcome of the public exhibition period and endorse the Planning Proposal for submission to Parliamentary Counsel Office for gazettal.

RECOMMENDATION

1. THAT Council note the outcome of the public exhibition period.
2. THAT the Planning Proposal be forwarded to the Parliamentary Counsel Office to obtain the draft legal instrument for gazettal.
3. THAT the applicant and submitter be advised of Council's recommendation.

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RESOLVED

(Crs Tyrrell/Kenzler)

1. THAT Council note the outcome of the public exhibition period.
2. THAT the Planning Proposal be forwarded to the Parliamentary Counsel Office to obtain the draft legal instrument for gazettal.
3. THAT the applicant and submitter be advised of Council's recommendation.

(FOR: Crs Ahmed, Cestar, Fasanella, Kenzler, McCaffrey, Megna,
O'Connell, Tsirekas and Tyrrell)

(AGAINST: Nil)