

Lane Cove LEP 2009 Amendment No 17 - 266 Longueville Road: Rezoning, new floor space ratio, new building height control and reclassification from 'community' to 'operational' land.

Proposal Title : Lane Cove LEP 2009 Amendment No 17 - 266 Longueville Road: Rezoning, new floor space ratio, new building height control and reclassification from 'community' to 'operational' land.

Proposal Summary :

1. Rezoning part of the site (to the west of existing E2 zoned land) from RE1 (Public Recreation) to R4 (High Density Residential);
2. Addition of a Floor Space Ratio (FSR) of 1.1:1 for the land to be rezoned R4;
3. Addition of building height control of RL 65.5 for the land to be rezoned R4.
4. Reclassification of the land to be rezoned R4 from 'Community' to 'Operational'

The planning proposal seeks to facilitate the development of this Council-owned site for the purposes of residential development, predominantly seniors living development.

PP Number : PP_2013_LANEC_003_00 **Dop File No :** 13/09193

Planning Team Recommendation

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

S.117 directions :

- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.1 Residential Zones
- 3.4 Integrating Land Use and Transport
- 4.2 Mine Subsidence and Unstable Land
- 4.4 Planning for Bushfire Protection
- 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 : Delegation of this planning proposal is not permitted, nor requested by Council, in this instance because, as Council advises, part of an existing covenant will be removed. Consequently the Governor's approval is required.

The planning proposal should proceed subject to the following conditions:

1. Council is to comply with the requirements of clause 28 of State Environmental Planning Policy (SEPP) 65 - Design Quality of Residential Flat Development and ensure that the required provision(s) is/are publicly exhibited with the planning proposal in accordance with the community consultation requirements in the current Guide to Preparing LEPs (DP&I).
2. Council is to ensure that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 - Remediation of Land. Any required site contamination investigation report is to be included as part of the public exhibition material.
3. Council is to prepare the necessary proposed zoning, floor space ratio and height of buildings maps in accordance with the Standard Technical Requirements for LEP Maps (DP&I, November 2012). Council is to ensure that these maps are publicly exhibited with the planning proposal in accordance with the requirements below.
4. Council is to arrange for an independent traffic assessment to be undertaken in accordance with Council's resolution of 15 April 2013. Council is to ensure that this assessment is publicly exhibited with the planning proposal in accordance with the requirements below.

5. Community consultation is required under sections 56(2) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

- (a) the planning proposal and all associated studies/assessments and reports must be made publicly available for 28 days; and**
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for materials that must be made publicly available as identified in the current Guide to Preparing LEPs (DP&I).**

6. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act:

- Sydney Metropolitan Catchment Management Authority**
- Office of Environment and Heritage**
- Fire and Rescue NSW**
- Department of Health and Ageing**
- NSW Rural Fire Service**
- Transport for NSW - Roads and Maritime Services**
- Sydney Water**
- Adjoining LGAs**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material. Each public authority is to be given at least 21 days to comment on the proposal, or to indicate that they will require additional time to comment on the proposal. Public authorities may request additional information or additional matters to be addressed in the planning proposal.

7. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing.

8 The timeframe for completing the LEP is 9 months from the week following the date of the Gateway Determination.

Supporting Reasons :

The planning proposal is supported because:

- it will contribute to meeting the need for residential accommodation, particularly for increasing numbers of seniors;**
- the site is located in a suitable location between two existing and adjoining parcels of R4-zoned land;**
- there is a significant amount of existing RE1-zoned land in the vicinity. Furthermore, a public park is proposed to be created as part of the future development and part of the proceeds from the development will be used to enhance open space in other areas;**
- it will have minimal impact on the surrounding environment and local community due to the proposed controls limiting proposed buildings to 2-3 storeys at the Longueville Road frontage and 6-7 storeys at the rear in response to the downward slope of the site;**
- it is consistent with Council's strategic plans referred to in "Need for planning proposal" below.**

It is assumed that the planning proposal will yield between 60 and 70 apartments. The Council contact officer was unable to confirm potential dwelling numbers, but was agreeable to this range being considered for the purposes of the planning proposal report.

Council has provided an acceptable indicative project timeline, which anticipates Council's LEP finalisation request to be submitted to the Department at the end of October 2013.

Panel Recommendation

Lane Cove LEP 2009 Amendment No 17 - 266 Longueville Road: Rezoning, new floor space ratio, new building height control and reclassification from 'community' to 'operational' land.

Recommendation Date : 20-Jun-2013

Gateway Recommendation : Passed with Conditions

Panel

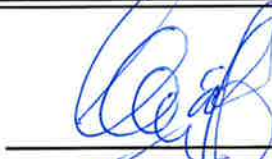
The planning proposal should proceed subject to the following conditions:

Recommendation :

1. The planning proposal is to be updated to address the Director-General's requirements relating to the reclassification of public land consistent with section 5.5.4 of A Guide to Preparing LEPs.
 2. Council is to demonstrate that the planning proposal satisfies the requirements of State Environmental Planning Policy (SEPP) 55 – Remediation of Land. It is noted that an initial site contamination investigation report to demonstrate that the site is suitable for rezoning to the proposed zone has been prepared. This report is to be included as part of the public exhibition material.
 3. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:
 - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).
 4. Consultation is required with the following public authorities under section 56(2)(d) of the EP&A Act and/or to comply with the requirements of relevant S117 Directions:
 - Sydney Water
 - Fire and Rescue NSW
 - Office of Environment and Heritage
 - Department of Health and Ageing
 - Transport for NSW - Roads and Maritime Services
 - Hawkesbury - Nepean Catchment Management Authority
 - NSW Rural Fire Service (S117 Direction 4.4 Planning for Bushfire protection)
 - Adjoining LGAs
- Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
5. A public hearing is not required to be held into the matter under section 56(2)(e) of the EP&A Act. However, a public hearing is required to be held into the matter in accordance with the department's practice note PN09-003, as the planning proposal involves a reclassification of land from community to operational.
 6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:

Printed Name:


 Date: 20.6.13