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Planning Proposal

Amendment to Lane Cove LEP 2009

266 Longueville Road, Lane Cove



Lane Cove LEP 2009 Amendments including reclassification
of land at 266 Longueville Road Lane Cove

Prepared for: Lane Cove Council
Project No: 8270A
Date: May 2013



Planning Proposal

266 Longueville Road, Lane Cove

Printed: 21 May 2013
File Name: P:\PROJECTS\8270A 266 Longueville Road, Lane Cove\Reports\8270A.1 Planning Proposal.docx
Project Manager: Ellen Robertshaw
Client: Lane Cove Council
Project Number: 8270A

Document history and status

Version	Issued To	Qty	Date	Reviewed
Revised Final Draft (8270A.1)	Lane Cove Council	1	28/02/2013	Simon Fenton
Revised Final Draft _Rev 2	Lane Cove Council	1	19 March 2013	Simon Fenton
Final Revised Report	Lane Cove Council	1	21 March 2013	
Rev_3	Lane Cove Council	1	14 May 2013	
Rev_4	Lane Cove Council	1	15 May 2013	
Rev_5	Lane Cove Council	1	21 May 2013	



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- D. Bushfire Constraints Analysis by Newcastle Bushfire Consulting
- E. Feasibility Assessment by Jumar Property Group for the redevelopment of 266 Longueville Road, Lane Cove

1 Commission

Don Fox Planning (DFP) has been commissioned by the Open Space and Urban Services division of Lane Cove Council (as the Development Team) to prepare a submission seeking Council's endorsement (as the relevant planning authority) to prepare a Planning Proposal for 266 Longueville Road Lane Cove to amend the zoning and scale of the subject land and to vary the classification of the land under Lane Cove Local Environmental Plan (LEP) 2009.

This submission has been prepared to satisfy the requirements of the Department of Planning and Infrastructure's *A Guide to Preparing Planning Proposals October 2012*. The Guide specifies that a Planning Proposal should comprise six parts as follows:

- **Part 1** - A statement of the objectives or intended outcomes of the proposed LEP.
- **Part 2** - An explanation of the provisions that are to be included in the proposed LEP.
- **Part 3** - A justification for the objectives, outcomes and provisions proposed in the LEP and the process for their implementation.
- **Part 4** - Details of the various maps and plans to support the proposed LEP.
- **Part 5** - Details of the community consultation that is to be undertaken on a Planning Proposal.
- **Part 6** - A project timeline to monitor the progress of the planning proposal through the plan making process.

Each of these parts will be addressed in this report.

2 Background

The subject site, 266 Longueville Road, was utilized as a Ladies Bowling Club from 1958 through to 1995. The club complemented the Men's Bowling Club which is located at the intersection of River Road West and Longueville Road.

The Ladies' Club ceased operation in 1995, however the Men's Bowling Club continues to operate as the Longueville Sporting Club.

Since the Ladies' Club ceased operation, the former club house has been leased to the Lane Cove Music and Cultural Society.

Only limited recreational use has been made of the playing surfaces of the bowling greens in the past fifteen years and they are badly deteriorated.

There has been a regional and local decline in lawn bowls as a sporting activity which suggests that it is unlikely that the site will be used for this activity. The proximity of the site to an operational bowls club and the fact that it is proximate to other pockets of open space, have led Council to conclude that the western part of the site which was previously used as the bowling greens and club house is no longer required as an area for public recreation.

The redundancy of this recreational land makes this part of the subject site suitable for redevelopment.

3 The Subject Site

The subject site is located within the Lane Cove Local Government Area (LGA) and comprises three lots:

- Lot 1 DP 321353;
- Lot 1 DP 91655; and
- Lot 322 DP 1102537

The subject site is owned by Lane Cove Council.

Appendix A contains a detailed survey of the subject site. The subject site has a total site area of 15,192.43m² or 1.519ha.

Figure 1 is a locality plan showing the location of the subject site in context with the Lane Cove Village, Northwood local centre and local road network.

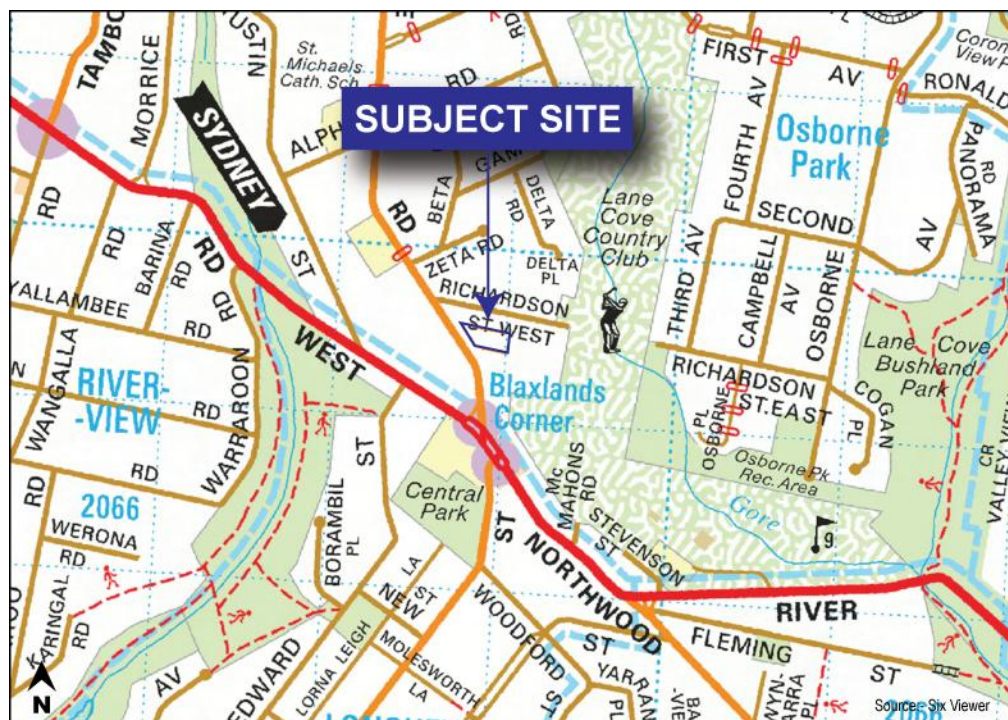


Figure 1: Locality Plan

Figure 2 is an aerial photograph of the subject site.



Figure 2: Subject site

Figure 3 is an aerial photograph of the subject site showing the locations from which Photographs 1 – 8 were taken.

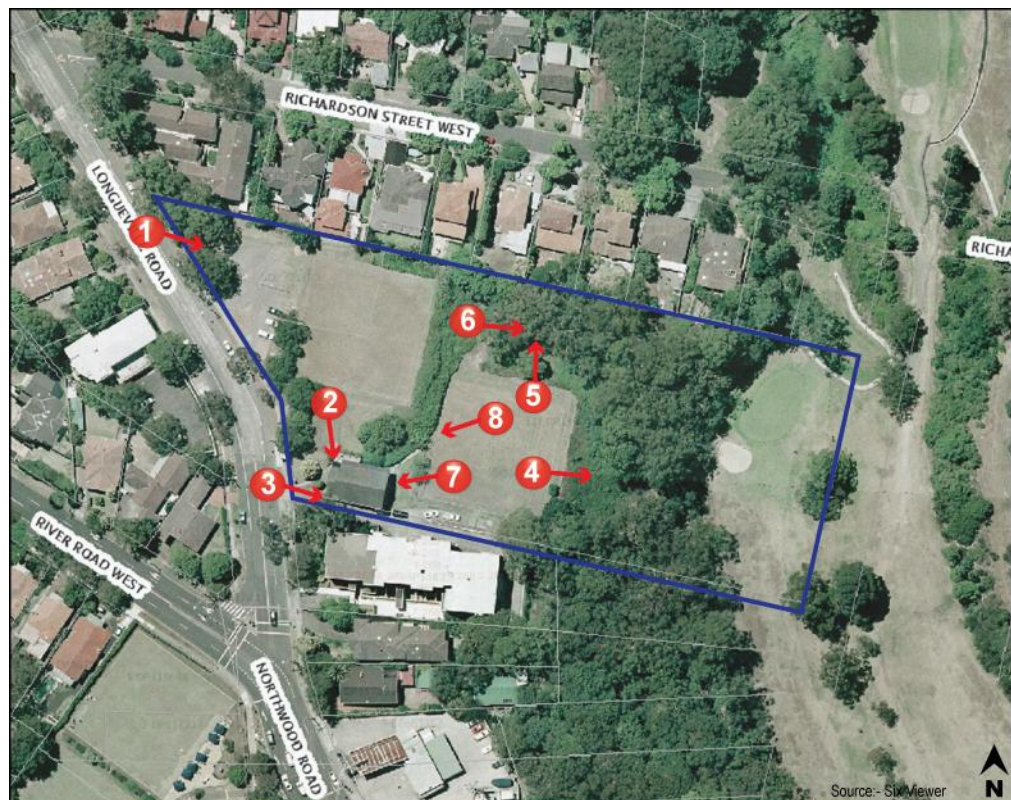


Figure 3: Photo Key - Subject site



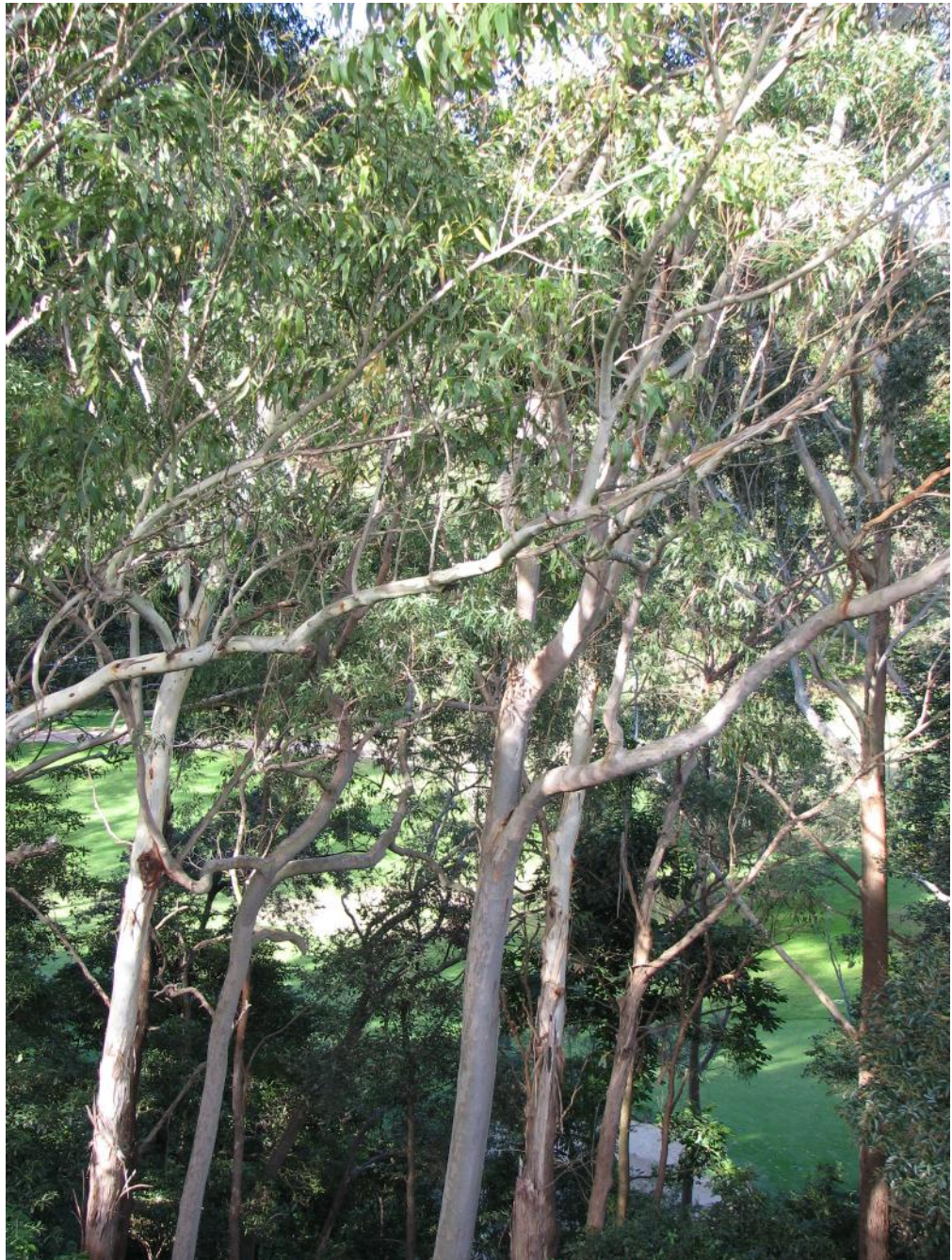
Photograph 1: View of existing informal car parking area from Longueville Road



Photograph 2: Previous club house now used as Lane Cove Music and Cultural Centre



Photograph 3: Existing driveway/right of way serving 266 Longueville Road and adjoining residential flat building on 268 Longueville Road



Photograph 4: View from lower bowling green down slope toward the Lane Cove Country Club Golf Course



Photograph 5: Looking north towards rear yards of properties fronting Richardson Road West



Photograph 6: Existing vegetation and weed growth to north of lower bowling green



Photograph 7: Rear of existing building on site



Photograph 8: Vegetated bank between upper and lower bowling green areas

3.1 Site Description

The subject site sits to the east of Longueville Road, proximate the intersection of two significant roads. The site slopes from the local ridgeline at Longueville Road (Australian Height Datum RL57.83) down to the valley floor and the golf course to the east (AHD RL28).

Previously a bowling club, the site is now home to part 1/part 2 storey building located at the highest point of the site (**Photographs 2 and 7**). This building was previously the club house but now accommodates the Lane Cove Music and Cultural Centre. The building is sited close to the southern boundary while two disused bowling greens lie to its north. Woodland vegetation and Coastal Enriched Sandstone Moist Forest populate the eastern third of the site where the land falls away to the valley in which the Lane Cove Country Club is located (**Photograph 4**).

Between the two disused bowling greens is a vegetated embankment approximately 2 metres in height (**Photograph 8**). The vegetation on this bank appears to be weed infested.

To the north of the lower bowling green is a vegetated area which has been degraded by significant weed growth (**Photograph 6**). This area is lower than the lower green level and is roughly at grade with the rear yards of the residential properties on the southern side of Richardson Road West.

Vehicular access from Longueville Road onto the site is via a shared driveway with 268 Longueville Road on the southern boundary and via a crossing to an informal car park on the northwest corner of the site (**Photograph 1**).

The site enjoys views across the valley towards the North Sydney CBD (**Photograph 9**).

3.2 Surrounding Area

River Road West and Longueville Road form significant linear elements through Lane Cove connecting the suburb to the regional road network including the M2 Motorway, Epping Highway and the Pacific Highway.

Longueville Road runs predominantly north-south along a ridge (**Photographs 14 and 15**) while River Road West/Northwood Road follows the undulating topography in a generally east-west direction.

The site is serviced with local bus routes connecting to the Lane Cove Village Centre, Greenwich Wharf, North Sydney and the Sydney CBD.

3.2.1 Surrounding Residential Development

Immediately to the north of the site is low to medium density residential development comprising detached dwellings and two storey townhouses (**Photograph 12**).

To the west of the site (across Longueville Road) is mainly low density residential development with the exception of the building at 231 Longueville Road. This building was previously a Masonic Hall and is now used as a Buddhist Temple (**Photograph 11**). This building is also identified as a heritage item (Item 182) in Lane Cove LEP 2009.

Adjoining 266 Longueville Road to the south is a strata titled residential flat building development known as "Timber Tops" (**Photographs 10 and 13**). This building follows the down slope of the site and ranges from 2 storeys at the Longueville Road frontage up to the equivalent of 5 storeys (comprising 4 storeys of residential development and 1 level of car parking) at the eastern end of the building.

Recently Lane Cove Council audited residential apartment development in the vicinity of 266 Longueville Road.

Below is a table which describes the location of the sites investigated and the heights of buildings on the properties together with the FSR (if known). The location of each of these sites in relation to 266 Longueville Road is shown in **Figure 4**.



Figure 4: Location of investigated sites

Table 1: Building Heights of Nearby R4 Zoned Sites				
Address	No. of storeys at Longueville Rd	Appearance at Longueville Rd	No. of Storeys at the rear of property	Calculated or documented FSR
268-270 Longueville Rd (Timber Tops)	3	2	5 (4 + garage) on fill	1.56:1
250-252 Longueville Rd (cnr. Richardson Road West)	2	2	2	0.83:1
242-246 Longueville Rd	3	3	3	1.19:1
238-240 Longueville Rd	2			
232-236 Longueville Rd	3	2.5	3 (2 + garage)	0.91:1
228-230 Longueville Rd	3	2	4 (3 + garage)	1.28:1

Source: Lane Cove Council

As a result of this investigation, it can be seen that the prevailing heights of existing residential apartment buildings in the vicinity of the site range from 2-3 storeys on the Longueville Road frontage, increasing to 3-5 storeys as land falls away to the east.

Furthermore, it can also be seen that the developments on those properties have FSRs in excess of the currently permitted 0.8:1 (as per Lane Cove LEP 209) however, none of these buildings presents as an overdevelopment of the site.

To the south of this development is another strata titled medium density development.

3.2.2 Northwood Local Centre

The Northwood local centre is located to the south of the subject site at Blaxlands Corner, and extends along either side of Northwood Road. Facilities in this centre include 3 service stations, a veterinary surgery, liquor outlet and engineering office.

The built current form of the Northwood local centre is generally low scale buildings of 1 and 2 storeys. Council has a specific DCP for Northwood which considers the future built forms as being up to 4 storeys in height.

In November 2012, a private developer, EG Property Group, lodged a planning proposal with Council requesting an FSR of 2.5:1 and a maximum building height of 25m for a number of sites within the Northwood local centre. Council at its meeting of 3 December 2012 considered this proposal. Two options were considered:

- Option 1 provides for a maximum height of 12 metres and an FSR of 1.25:1
- Option 2 being a maximum height of 18 metres and an FSR of 2.25:1.

Council resolved to submit a planning proposal with both options to NSW Department of Planning & Infrastructure for gateway determination. The purpose of that planning proposal is to amend Lane Cove LEP 2009 as it applies to certain land in the Northwood Local Centre.

The Department of Planning and Infrastructure considered both options and has issued Gateway Determination for this planning proposal on the basis of a maximum floor space ratio of 2.25:1 and a maximum building height of 18 metres (i.e. – Option 2)..

Implementation of this planning proposal will result in a significant variation to the character of development in the Northwood local centre from its existing low scale/low density nature.

An Urban Design Study has been prepared to support the planning proposal for the Northwood Local Centre. This study not only focuses on the site of the planning proposal but also considers what might be appropriate having regard to the surrounding area.

The Urban Design Study separates the Centre, which includes not only the retail component but also surrounding sites which contextually relate to the centre proper, into various precincts. The site at 266 Longueville Road is identified as being within the northern precinct of the Northwood Local Centre. On this basis, any redevelopment within the eastern precinct (being the land subject of the Northwood Planning Proposal) is likely to have an influence on the nature, scale and style of development at 266 Longueville Road.

3.2.3 Surrounding Reserves and Recreational Facilities

In the vicinity of the subject site, Longueville Road is dominated by a mix of lower scale residential development with pockets of commercial (Northwood local centre) and recreational uses (bowling club and Central Park). Green fingers of Lane Cove Bushland Park, Lane Cove Country Club and golf course, and Warraroon Reserve, extend either

side of the Longueville Road corridor, following the lines of the valleys. Lane Cove Village is approximately 600m north of the site.

The eastern part of the site comprises part of the golf course associated with the Lane Cove Country Club. The golf course is located along the valley floor and is surrounded by bush land. Remnant woodland forest is located along the golf course edges.

The site is serviced with local bus routes connecting to the Lane Cove Village Centre, Greenwich Wharf, North Sydney and the Sydney CBD.

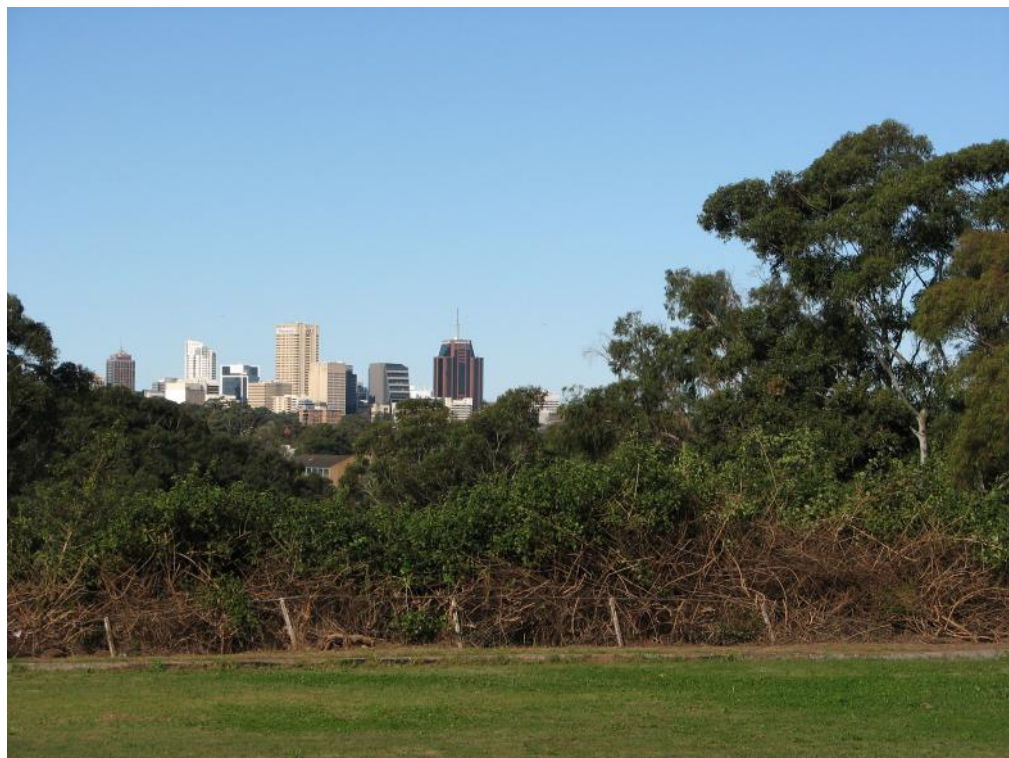
Figure 5 is an aerial photograph of the surrounding area and **Figure 6** is the key plan for photographs 9 – 15.



Figure 5: Aerial Photo of surrounding area



Figure 6: Photo Key for Photographs 9 – 15 of surrounding area



Photograph 9: Views towards North Sydney from upper bowling green level



Photograph 10: Adjoining residential flat building development "Timber Tops" at 268 Longueville Road



Photograph 11: Previous Masonic Hall, now Buddhist Temple opposite the site



Photograph 12: Adjoining town house development on the corner of Richardson Road West and Longueville Road



Photograph 13: Rear of adjacent residential flat building on 268 Longueville Road. Building is equivalent to 6 storeys at the rear



Photograph 14: Looking south along Longueville Road towards intersection of Longueville Road and River Road West



Photograph 15: Looking north along Longueville Road

4 Supporting Documentation

Prior to pursuing this planning proposal, Council engaged the services of specialist consultants to assess whether there were any constraints, either natural or man made, which may impact on the capacity of the site to support an alternative form of development. The following reports have informed the preparation of this planning proposal:

- Flora, Fauna & Fungi Impact Assessment by Applied Ecology Pty Ltd dated January 2012.
- Final Geotechnical and Environmental Investigation Report by SMEC, dated December 2011.
- Draft Bushfire Preliminary Constraints Analysis by Newcastle Bushfire Consulting, dated December 2011.
- A Feasibility Assessment by Jumar Property Group dated November 2012.

The brief to these specialist consultants identified that Council was considering redevelopment of the western part of the site for the purposes of seniors housing and medium to high density residential development. The brief indicated that the vegetated slope to the east of the lower bowling green and that part of the site on which part of the golf course is located were not proposed to be developed, however, they would need to consider a Council proposal to construct a footpath through the site (including the E2 zoned area) to provide a pedestrian link between the Country Club development and Longueville Road.

4.1 Flora and Fauna Assessment

The flora, fauna and fungi assessment was undertaken by Applied Ecology Pty Ltd. A copy of their report dated 9 January 2012 is attached at **Appendix B** to this planning proposal.

The objectives of the assessment were to:

- Undertake a flora survey to identify species and vegetation communities present on the development site and, as a minimum extent, any present on the adjacent sites;
- Undertake a fauna survey to identify species present on the development site and, as a minimum extent, any present on the adjacent sites;
- Undertake a fungi survey to identify species present on the development site and, as a minimum extent, any present on the adjacent sites;
- Assess the conservation value of the species and communities recorded;
- Analyse the likely significance of the impacts of a future residential development in accordance with Commonwealth and State legislation requirements and local guidelines;
- Identify measures that may be incorporated into the design of any future development to ameliorate any likely impacts; and
- Identify any threat to flora, fauna, fungi or vegetation communities as a result of development of the site and also due to the cumulative effective of other development sites in the area.

The assessment identifies the vegetation on that part of the site zoned E2 as Coastal Enriched Sandstone Moist Forest (CESMF). It is part of a larger 4 hectare corridor of this community located to the north and south of the subject land. This community then links with a Coastal Shale Sandstone forest which is located along the southern boundary of the golf course which then links to the Lane Cove Bushland Park to the east.

However, on the part of the site proposed to be redeveloped, the assessment found that the bulk of vegetation comprised almost entirely of exotic species which are considered weeds, with some mature native species along the Longueville Road frontage.

On that part of the site to the north of the lower bowling green, the vegetation comprises mature eucalypts which provides an extensive canopy. There is a mid storey of native and exotic species with the groundcover being almost exclusively exotic.

The assessment noted that preservation of the area identified as supporting species found within a CESMF, could provide a buffer to the nearby Blue Gum High Forest which is an Endangered Ecological Community (EEC) located within the Lane Cove Bushland Park.

The assessment notes that:

- Within the western part of the site, there are some eucalypts located towards the front edge of the property. Whilst these have some ecological value and provide potential habitat and food source for birds and arboreal marsupials they are disconnected from the main bushland areas at the eastern end of the site. Apart from these trees there is no ecological value in this part of the site.
- The mature eucalypt canopy trees to the north of the lower bowling green and on the slope to the east of this green provide good feeding and roosting habitat for several bird species and the contiguous shrub layer provides safe feeding habitat for ringtail possums which are in turn a preferred food source for the threatened Powerful Owl that roosts in the nearby Lane Cove Bushland Reserve.
- The direct impacts of the proposed redevelopment of disused bowling greens and immediate surrounds are likely to be positive as it will result in the removal of a significant source of weeds that are impacting on the bushland areas.
- The key threats to threatened species and endangered or other ecological communities (none of which are actually located on the subject site) include:
 - Reduction in food sources for Powerful Owls and Grey-headed Flying Foxes.
 - Reduction in the floristic diversity of the CESMF by clearing or changing conditions in the surrounding area
 - Reduction in the quality of the CESMF through invasion of weed species
 - Reduction in the quality of the CESMF through runoff from the development site.
 - Reduction in the quality of the CESMF through sediment deposition during building works.
- Measures to reduce and offset impacts include:
 - Choosing suitable plant species for landscaping works.
 - Ongoing weed management as part of a bush regeneration program for the E2 zoned land.
 - Ensuring slopes are stabilized during weed removal.
 - Managing access by developing formal paths.
 - Managing runoff from the site to reduce impacts from changes water quality and quantity.

Conclusion

In view of the above assessment it is considered that there are no ecological constraints to the development of the western portion of the site, subject to implementation of the mitigation measures detailed in the ecological assessment.

4.2 Geotechnical and Environmental Investigation Report

SMEC undertook combined geotechnical and environmental investigations of the site to provide technical recommendations for the potential redevelopment of the bowling green section of the site. A copy of this assessment is attached at **Appendix C** to this report.

The site investigation works were confined to an area of approximately 0.6 hectares. The investigation concentrated on three areas described as the upper car park, upper bowling green and lower bowling green.

The site investigation fieldwork included sinking of 15 boreholes to depths ranging from 1.5 metres to 9.4 metres below existing ground level.

The results of the contamination testing indicated that the concentrations of chemical contaminants were generally low however, the fill in the eastern part of the investigation area (i.e. – in the vicinity of the lower bowling green) was found to be impacted with lead and polycyclic aromatic hydrocarbons (PAHs) at concentrations which exceed the accepted health based criteria. The depth of fill ranges from approximately 0.5 metres (BH14) up to almost 9 metres (BH11).

The soils on the site would not present an immediate or unacceptable risk to human health for an ongoing recreation use or for high density residential uses provided existing land surface levels were retained and an environmental management plan (EMP) was prepared to protect site workers from being exposed to contamination risks during future subsurface works. Alternatively, remedial works to remove the fill could be undertaken. If this course of action is adopted the fill could not be beneficially reused and substantial landfill disposal costs could be incurred if large volumes of the fill were required to be removed from the site in order to effect the redevelopment.

In terms of the geotechnical assessment, the report provides recommendations for both deep and shallow foundations, site preparation, excavation 'rippability' and temporary and permanent batter slopes.

Conclusion

The existence of the contaminated fill on the lower bowling green section of the site presents a potential constraint to development.

For the purposes of establishing an appropriate height control for buildings on the site, the ground levels both with and without fill - and the implications that arise as a result of modifying the current 'existing ground level' - need to be considered. This is because the benefits of removing the fill and reinstating the pre-filled, lower, natural ground level is consistent with the surrounding topography and will reduce the impact of new buildings on the adjoining development and their perceived height. In terms of assessing the 'existing ground level' (for the purposes of establishing a height of building control), the ground height with the fill in situ is the relevant level. This is consistent with the LEP definition of *'ground level existing'*.

However, there is still the potential for a scenario to eventuate that results in a development with a building height based on the existing ground level (with the fill in situ) yet which subsequently removes the fill to create greater development capacity. If this were to occur the interface with the Woodland would need to be treated sensitively to ensure a desirable urban design outcome and that the amenity for future and existing residents is maximised.

Any site specific development controls will need to include objectives and controls to ensure a satisfactory and acceptable urban design outcome.

4.3 Bushfire Affection

Newcastle Bushfire Consulting undertook a preliminary analysis of any constraints to the development of the land for residential development and a special fire protection purpose (SFPP) – in this case a seniors housing development. A copy of the bushfire report is attached at **Appendix D** to this report.

The presence of bushland in the vicinity of the site, whilst adding significantly to its ambience, also impacts on the development potential of the site by introducing areas of bushfire prone land.

The asset protection zones (APZs) have been determined based on seniors housing development being provided as part of the redevelopment of the subject site (as seniors housing is classified as a special fire protection purpose under the Rural Fires Act 1997).

Conclusion

On this basis, any seniors housing development would likely be confined to the western part of the site and the lower bowling green area of the site developed as a conventional residential development. Seniors housing might not be able to be provided in this location due to the APZ required for that form of development and the fact that APZs would need to be provided on the development site, i.e. – they could not extend into that part of the site zoned E2.

4.4 Feasibility Assessment

Following receipt of the above mentioned investigation reports, Council undertook its own 'in house' feasibility assessment and also commissioned Jumar Property Group to undertake a feasibility assessment of the redevelopment potential of the subject site. A copy of the Jumar assessment is attached at **Appendix E**.

The feasibility undertaken by Council considered a number of scenarios based on a building height of up to 12 metres and an FSR of 0.8:1 with a mix of apartment sizes. Construction costs, including excavation, removal and disposal of fill, landscaping and consultant's fees were also factored. The assessment also took into account the constraints posed by the bushfire affection.

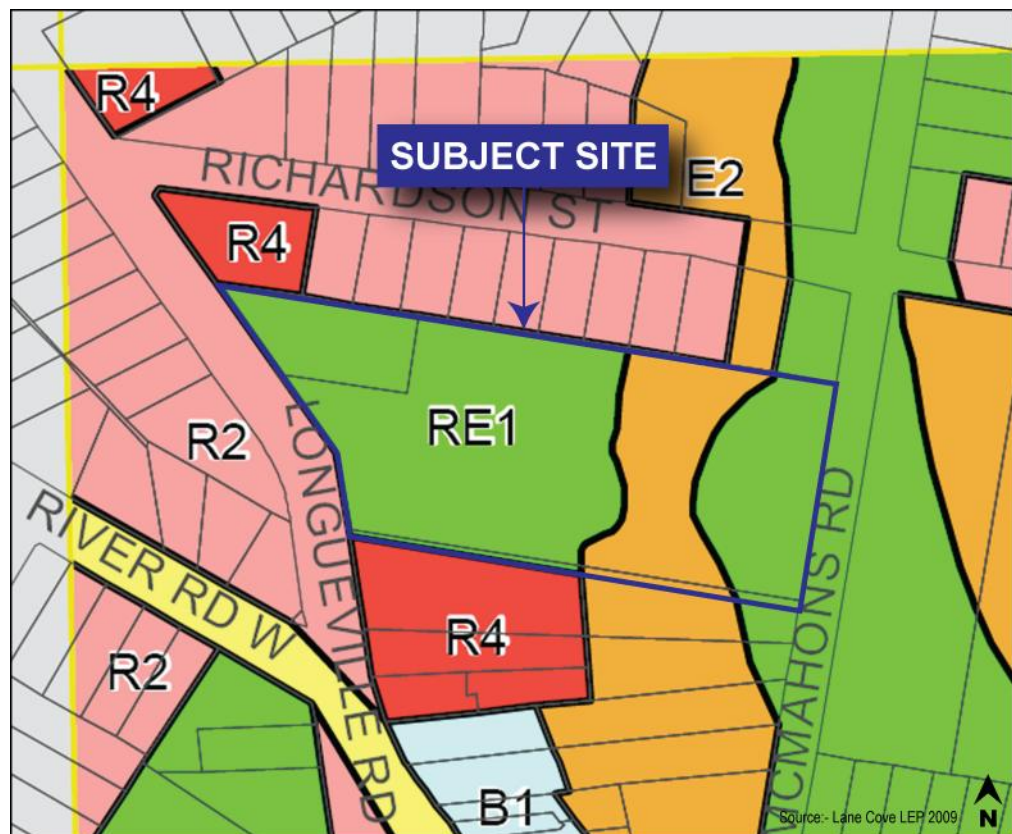
The Jumar assessment expanded on Council's initial assessment and investigated the development potential of the site taking into account a variety of floorspace ratio scenarios and the inherent land value and allowing for a 20% profit margin that is required by financial lending institutions. These considerations meant that Council would not be exposed to any greater risk than the risks endured by private developers. The assessment also identified that there is an ageing demographic in the area and a pressing need for appropriate housing to be provided.

The Jumar assessment concluded that development controls which permitted development with a FSR of at least 1.1:1 would result in efficient and effective development of the site.

5 Current Zoning and Controls

The subject site is currently zoned RE1 Public Recreation and E2 Environmental Conservation under Lane Cove LEP 2009. **Figure 7** shows the zonings as they currently apply to the subject site. The E2 zoning generally equates to that part of the site which comprises the steeply sloping section between the lower bowling green and the golf course. This area is heavily vegetated with Coastal Enriched Sandstone Moist Forest and weed growth.

Due to the current zoning of the site, it is not subject to the floor space ratio (FSR) and height of building restrictions that apply to surrounding residentially zoned land. **Figures 8 and 9** are extracts from Lane Cove LEP FSR and Height of Buildings maps showing how nearby and adjoining residentially zoned land is affected.



R4	High Density Residential	RE1	Public Recreation
R2	Low Density Residential	E2	Environmental Conservation
B1	Local Centre	SP2	Infrastructure

Figure 7: Existing zoning of subject site under Lane Cove LEP 2009

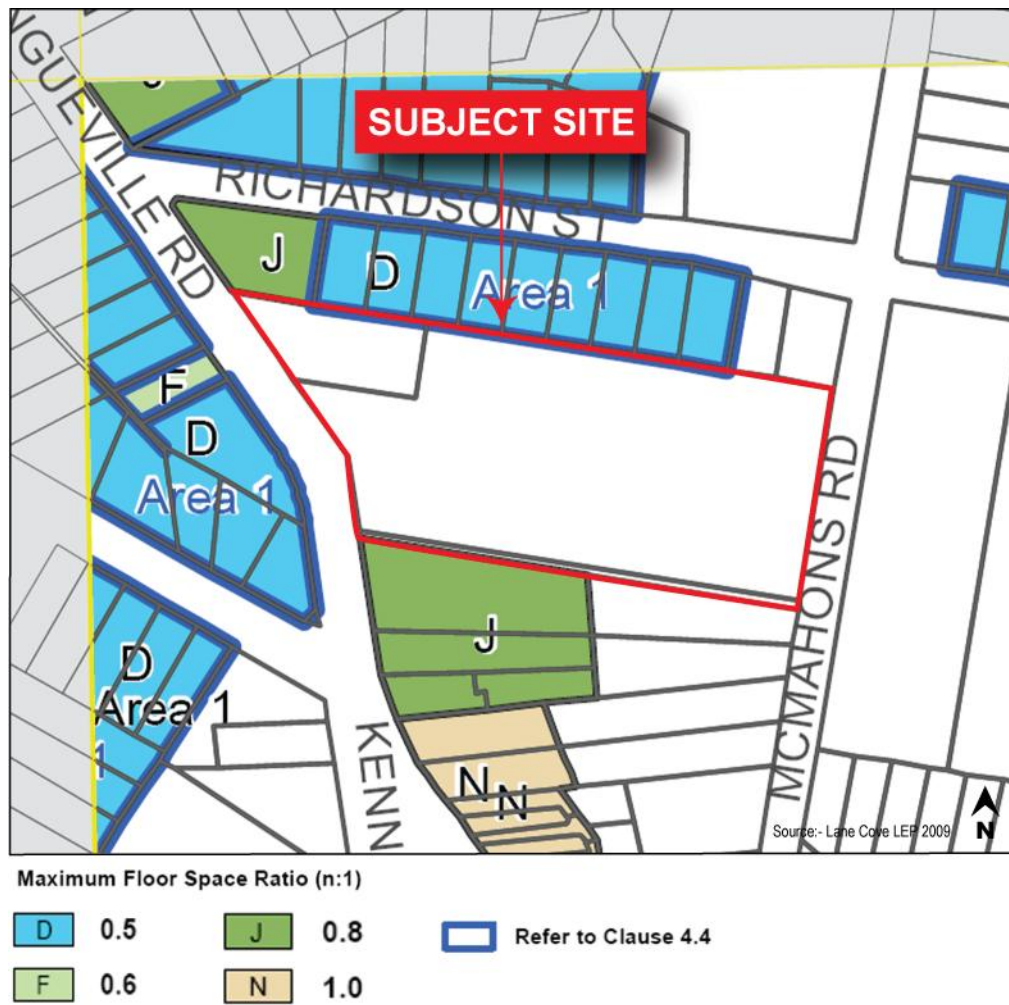


Figure 8: FSR provisions of surrounding land under Lane Cove LEP 2009

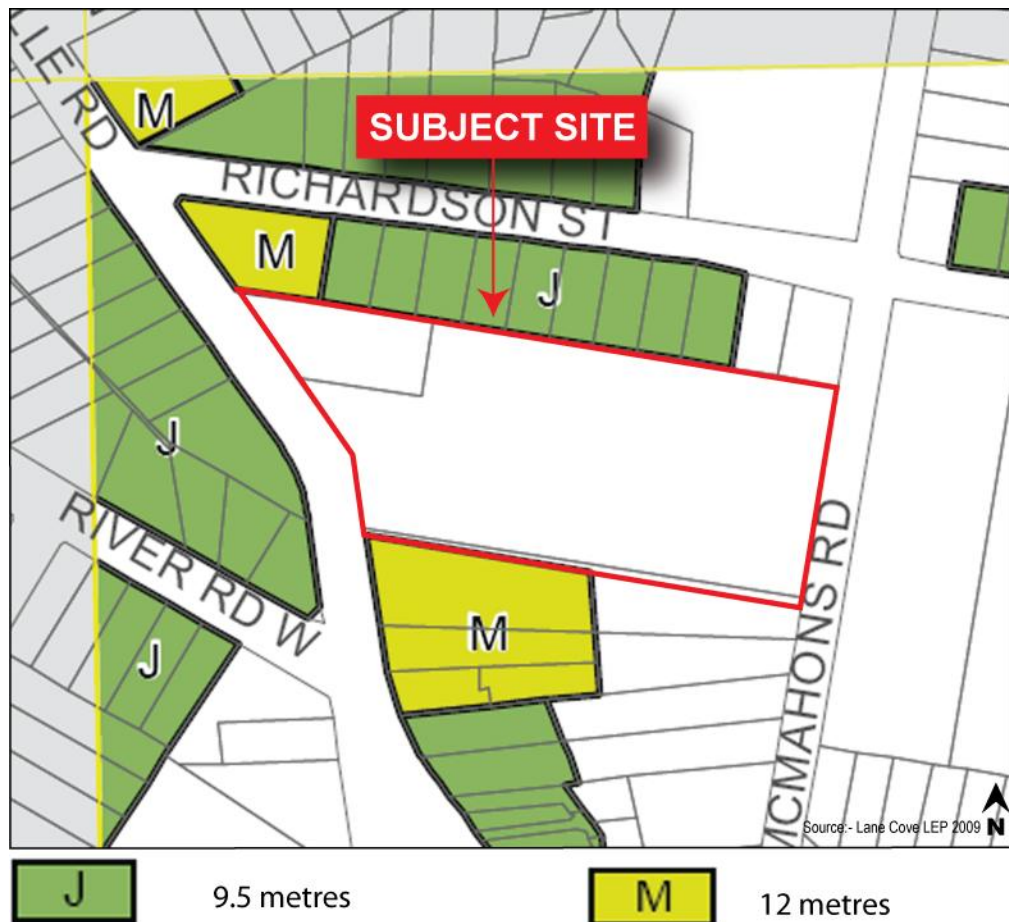


Figure 9: Height of Building restrictions for surrounding land under Lane Cove LEP 2009

The eastern most portion of the subject site (in the vicinity of the golf course) is identified as riparian land. **Figure 10** is an extract from the Lane Cove LEP 2009 map showing how the subject site is affected. Land identified as riparian land is subject to the provisions of Clause 6.3 of Lane Cove LEP 2009. It is not proposed to alter this provision of Lane Cove LEP 2009 as part of this planning proposal.

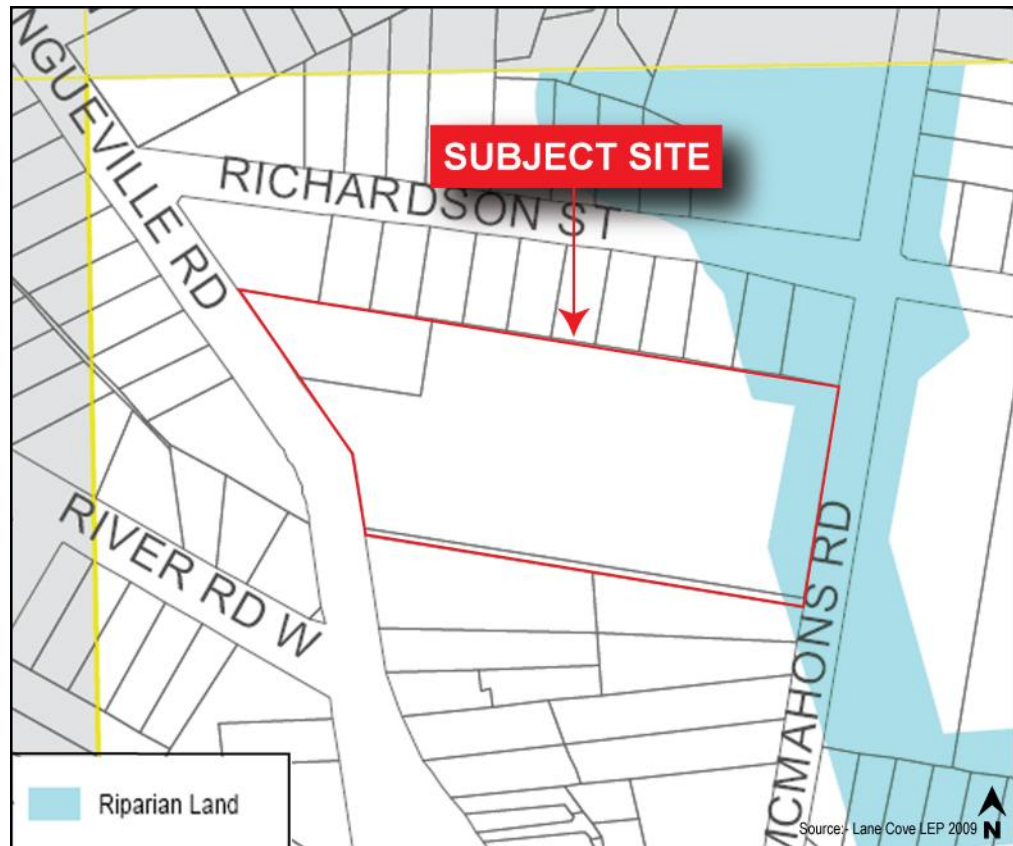


Figure 10: Riparian land under Lane Cove LEP 2009

6 The Proposal

The intent of this report is to request Council's support for a planning proposal to alter the zoning of that part of the subject site to the west of the E2 zoned land, from RE1 to R4 High Density Residential to allow this part of the site to be developed for residential purposes, including seniors housing. The planning proposal also seeks to change the classification of that part of the subject land proposed to be zoned R4 from community to operational.

All land vested in a Council (except a road or land to which the *Crown Lands Act 1989* applies) is classified as either "community" or "operational." Community land would ordinarily comprise land used as a public park. Land classified as community land cannot be sold (except in extraordinary circumstances) and must not be leased or licensed for more than 21 years. The 3 allotments which comprise the subject site are classified as community land.

6.1 Zoning

The existing RE1 Public Recreation zone at the eastern part of the site is proposed to be maintained. The existing E2 Environmental Conservation zoning across the middle of the site is also proposed to be maintained. These areas are also classified as community land. It is proposed that these areas will maintain this classification.

The current zoning of the land supports a connection between Longueville Road and the Lane Cove Country Club which is located in the valley to the east of the site. It is proposed to maintain this connection through the creation of a public pathway through the site, including that part of the site proposed to be zoned R4. The path will be suitably constructed and graded to ensure it is accessible to disabled persons.

Figure 11 is a map showing the proposed variation to the zoning of the subject site.

6.2 Floor Space Ratio (FSR)

The planning proposal will also introduce height of building and FSR controls for that part of the site proposed to be zoned R4.

Although the adjoining R4 zoned land is subject to an FSR restriction of 0.8:1 (refer **Figure 8**), it has been demonstrated that other existing, approved developments in the vicinity of the site have FSRs in excess of 0.8:1 and have resulted in an acceptable urban design outcome, particularly with respect to bulk and scale.

The subject site has a total area in excess of 1.5 ha (including those parts of the site zoned E2 and the RE1 component of the site on which the golf course is located). The size of the area proposed to be rezoned to R4 is approximately 9,200m² (including the right-of-carriageway easement in favour of No. 268 Longueville Road).

In accordance with the provisions of clause 4.5(4) of Lane Cove LEP 2009:

The following land must be excluded from the site area:

- (a) *land on which the proposed development is prohibited, whether under this Plan or any other law,*
- (b) *community land or a public place (except as provided by subclause (7)).*

Therefore, for the purposes of calculating the developable area (and ultimately the FSR) only that part of the site to be zoned R4 can be included.

In view of this and having regard to nature and density of surrounding development (and the likely increase in density in the Northwood Centre), a FSR provision of 1.1:1 would be appropriate for that part of the site proposed to be zoned R4.

6.3 Height of Buildings

In order to establish suitable height limits for the site, consideration of the existing character (such as existing ground level, topography, surrounding building heights, typologies, and views through the site), as well as the desired future character, are important considerations.

A key starting point is the scale and height of existing development along Longueville Road. Generally this represents a regular pattern of height and setback along the street characterised by three storeys and an intermittent scattering of two storey developments. Opposite the site, on the western side of Longueville Road, the heritage listed Masonic Hall, now a Buddhist Temple, establishes an equivalent three storey height. This three storey height limit is maintained from front to rear without modulation on a relatively flat site on the ridge.

Building heights are restricted to 9.5 metres for those properties with frontage to Richardson Road West and 12 metres for the allotment on the south eastern corner of Richardson Road West and Longueville Road and the R4 zoned land immediately to the south of the subject land (refer **Figure 9**).

The existing character of the Northwood local centre currently presents a 2 storey height. However, the future character of this precinct is important to consider in that it is likely to be regenerated with new building heights and typologies will evolve to establish a new hierarchy and relationship of height and form. In this regard, a built form up to 7 storeys is being considered for this centre.

Taking into account the existing and likely future character of the surrounding context, it is considered that a suitable height for the subject site is one which retains a consistent bulk and scale at the street frontage and yet responds appropriately to topography and surrounding development, providing for development of 2-3 storeys at the street frontage and of around 6/7 storeys at the bushland interface.

Due to:

- the unique topography of the site and the surrounding area,
- the likelihood of the existing ground level of the site being modified to remove the fill; and
- the significant vegetation both on site and on adjoining land,

a building height limit expressed in metres is not considered appropriate.

In the circumstances a maximum building limit expressed as a reduced level (RL) will provide a better planning and urban design outcome for the site and adjoining properties. A reduced level (RL) is the vertical distance between a survey point and the adopted level datum. In this case the adopted level datum is the Australian Height Datum (AHD) with sea level having a height of 0.00m AHD.

It is recommended that an RL of 65.5 be adopted as the height limit across that part of the site proposed to be zoned R4. The existing surveyed heights across the site range from RL49.67 (average) along the eastern edge of the lower bowling green up to RL57.83 on the north western corner of the Longueville Road frontage of the site. This height limit would allow for development of 2-3 storeys at the street frontage and around 6/7 storeys at the bushland interface.

- By adopting a maximum RL as the height limit, it provides an opportunity to design a development that: better responds to its topography,
- reduces adverse amenity impacts on future and surrounding residents,
- retains views for an increased number of dwellings,

- provides for a more sensitive interface to the environmental woodland, and
- is less bulky when viewed from Longueville Road.

Ideally, the most appropriate urban design outcome for the site will involve removal of the fill. This will reduce the visual presence of the buildings and maximise amenity to adjoining development.

To ensure any new development on the site remains in keeping with the scale of surrounding development at the street frontage, including the Masonic Hall, other multi-unit housing development and the low-density, detached housing, and respects the prevailing topography, a height limit which restricts the taller elements of any future development to the eastern (topographically lower) parts of the site, but respects the prevailing scale along the Longueville Road frontage is appropriate. This outcome can be achieved by utilising an RL as the maximum height to which a building can be constructed.

It is evident that the interplay of the height and FSR control mechanisms can influence development yields and the resultant bulk and scale of development on the site. Having regard to the constraints of this site, an FSR in excess of 1.1:1 (relative to a height limit of RL 65.5) could result in building typologies of difference scales and character to those that currently exist. Therefore, in the interests of providing for a development which responds appropriately to its context, these controls are considered reasonable.

7 Assessment of the Proposal

The proposed rezoning of the western portion of the site to R4 has been considered in terms of the likely future character of the area, views to, through and from the site, suitability of the site for redevelopment, potential impacts on the natural and built environments, social and economic impacts and context.

7.1 Context

The subject site directly adjoins land zoned R4 High Density Residential to its north and south. It is one of only two properties on the eastern side of Longueville Road between the Northwood local centre and Lane Cove Village that is not zoned R4. An assessment of prevailing heights and densities of existing residential apartment buildings in the vicinity of the site has revealed densities in excess of the current 0.8:1 FSR control and building heights which respect the permissible maximum height control.

The adjoining properties slope steeply downward from the Longueville Road ridge. The topography of the subject site has been modified to create the flat surfaces for the bowling greens however the downward slope towards the east is still evident. It is possible to undertake a multi storey development whilst still ensuring that development respects the slope of the land and presents a lower profile at the Longueville Road frontage.

Land opposite the site on the western side of Longueville Road, and land along Richardson Road West (with the exception of the block fronting Longueville Road) is zoned R2 Low Density Residential. However, the road carriageway of Longueville Road and rear yards of the Richardson Road west properties, together with the retention of vegetation along the northern boundary of the subject site, will create a buffer between any development on the site and these lower density areas.

The exception to the lower scale development on the R2 land is the heritage item, (previously a Masonic Lodge, now Buddhist Temple) which is located directly opposite the subject site. This building presents as the equivalent of a 3 storey building to Longueville Road (refer **Photograph 11**).

The site has good public transport connections to the Lane Cove Village, Greenwich Village, St Leonards, North Sydney and the Sydney CBD. It is within 100m of the Northwood local centre and 700m from Lane Cove Village.

The site is close to the junction of River Road West and Longueville Road, providing good road connections to the Lane Cove Tunnel, the Warringah Freeway and the M2 and M7.

Having regard to the above, therefore, the proposed redevelopment of the western portion of the site is suitable for an increased residential density.

7.2 Future Character of the Area

The nearby Northwood Shops are identified as one of Lane Cove's Neighbourhood Centres. This centre is in need of redevelopment. There is a specific Development Control Plan which applies to the centre. The DCP notes that the desired future character of the Northwood Centre is *to create a pedestrian friendly, cyclist friendly, vibrant and active, small neighbourhood centre for local residents*.

Design strategies which have been proposed in the DCP in order to stimulate redevelopment of the centre include residential uses above a retail ground floor on Kenneth Street and a building form of up to 3-4 storeys in height. And as noted in Section 3.2.2 of this report, Council has endorsed a proposal to increase building heights and densities in the eastern precinct of this centre.

Therefore, higher scale development is envisaged in the vicinity of the subject site. A residential flat building development of appropriate scale on the subject site would complement the vision for the redevelopment of the Northwood Centre.

7.3 Views

The elevated position of the subject site, alongside the Longueville Road ridgeline results in significant views across the valley towards North Sydney – refer **Photograph 9**. Similar views are available from the public domain areas adjacent to Longueville Road, however, due to the presence of street trees, existing development and the fall of the land, views from existing development on the western side of Longueville Road are filtered at best. Furthermore, the curves in Longueville Road and the presence of street trees along the verges of Longueville Road result in only intermittent views of the site from this thoroughfare.

It is anticipated that any development of the subject site for higher density residential development will be oriented to take advantage of views to the east. Whilst any development of this land will inevitably result in an interruption in views from the footpath areas along Longueville Road, the provision of a through site pedestrian connection (to link Longueville Road and the Country Club site) will allow for views from within the site. In addition, it is proposed to establish a park in the north-western corner of the subject site. This park will be located such that views towards the east will be available.

The existing trees/woodland within the E2 zoned land to the east of the development site will effectively screen development on the eastern portion of the development site from elevated positions on the eastern side of the valley. Development towards the Longueville Road frontage is likely to be visible from areas to the east of the valley therefore it is important that the scale of the buildings along the Longueville Road frontage does not become a dominant feature in the landscape.

7.4 Potential Impacts on the Natural and Built Environments

Issues relating to geotechnical constraints, potential contamination issues, flora and fauna and bushfire affectation have been considered as part of a due diligence assessment of the development potential of the site. These investigations have demonstrated that there are no constraints which would preclude the development of the western portion of the site for residential development, including seniors housing (provided such housing is located to be clear of the bushfire affected areas). Issues relating to the presence of contaminants within the fill on the lower bowling green area will need to be managed as part of a development proposal for the site.

Should Council resolve to support this proposal, site specific development controls will be developed in order to address issues such as built form, bulk and scale, setbacks, articulation, retention of vegetation, materials and views.

Any development proposal for the site will need to demonstrate that issues relating to water quality, run off and erosion and sediment control can be managed appropriately particularly having regard to the sensitive nature of the land down slope of the development site.

Issues relating to traffic generation, solar access and privacy – both visual and acoustic are all development specific matters that can be addressed as part of a development proposal for the site.

7.5 Social and Economic Issues

The site has been identified as being surplus to Council's open space requirements. The former clubhouse has been leased to the Lane Cove Music and Cultural Society since 1995 and only limited recreational use has made of the playing surfaces of the bowling greens since that time.

The decline in lawn bowls as a sporting activity has made it unlikely that this site would be used for bowls again.

There are a number of existing public parks, reserves and playgrounds within 500 meters of the site. The combined area of these accessible open spaces is 37.5 hectares. These areas are detailed in **Table 2** below.

Table 2: Public Open Space within 500m of the subject site		
Open Space	Area of land	Distance from site
Lane Cove Country Club and golf course	15ha	Adjacent
Central Park	1.5ha	75m to the south
Warraroon Reserve	10.8ha	240m
Shaw Playground	0.27ha	460m
Lane Cove Bushland Reserve	9.8ha	430m

Council's Open Space Plan 2007 identified the subject site as a redundant bowling green facility.

An audit of open space land within the Lane Cove LGA has revealed that there is 149ha of open space zoned land, including the subject site.

Therefore, the 'loss' of less than 1ha of open space land will have little impact on the overall amount of accessible open space. Notwithstanding, it is proposed to establish a public park in the north-western triangle of the site. This will link Longueville Road with the public walkway to be provided through the site to the Lane Cove Country Club.

As redundant recreational land, a change in use for part of the site to allow for its redevelopment is seen as a way to utilize this site more effectively for the benefit of the wider community.

This is also consistent with the objects of the Environmental Planning and Assessment Act which (among other things) provides for "*the orderly and economic use and development of land*".

8 A Guide to Preparing Planning Proposals

8.1 Objectives or intended outcomes

This report has been prepared to request Council support for a planning proposal to alter the zoning of that part of the subject site to the west of the E2 zoned land, from RE1 to R4 High Density Residential to allow this part of the site to be developed for residential purposes, including seniors housing. A change in the classification of that part of the subject land proposed to be zoned R4 from community to operational is also sought. The portion of land to be rezoned to R4 will also require new floor space ratio and maximum building height controls as part of this amendment.

8.2 Explanation of the provisions

The planning proposal will require amendment to Lane Cove LEP 2009 and specifically an amendment to the Zoning Map, Floor Space Ratio Map and Height of Buildings Map and Schedule 4 to reclassify land from community to operational land.

The reclassification will require an amendment to the Lane Cove Local Environmental Plan 2009 by including the following in Schedule 4:

Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1	Column 2
Locality	Description
Part of 266 Longueville Road	Part Lot 1 DP 91655

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc not discharges
Part of 266 Longueville Road	Lot 1 DP 321353, and Part Lot 322 DP 1102537	Nil

The “interests changed” are known to be: G835735 Caveat by the Register General – relating to public reserve status and H19905 Caveat by the Register General – relating to public reserve status. However it is intended that any such interests which may apply to the land would be changed.

Attachment 9 of the Gateway submission addresses the Director General’s requirements for the justification of reclassification of public land.

The proposed amendments to the Maps in accordance with the mapping format adapted for Lane Cove LEP 2009 are provided in **Figures 11, 12 and 13** below:

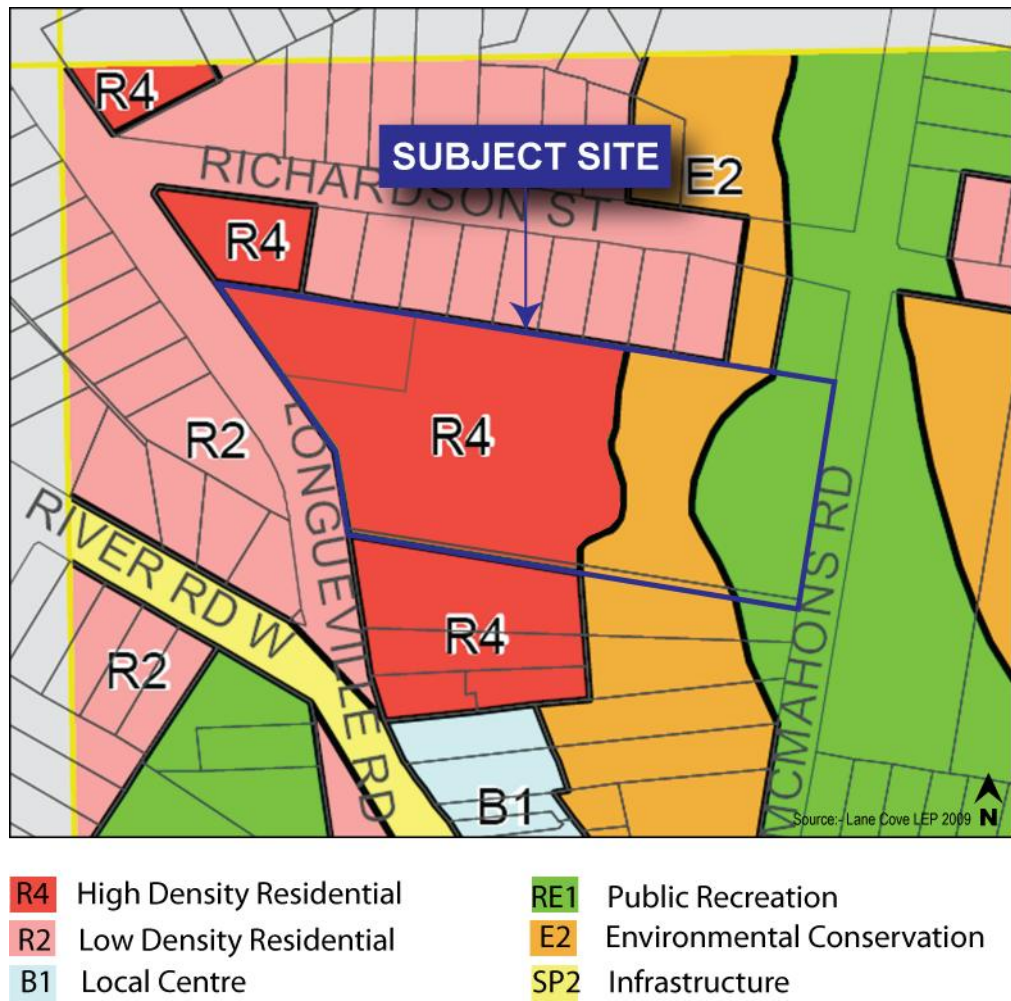


Figure 11: Proposed zoning of subject site under Lane Cove LEP 2009

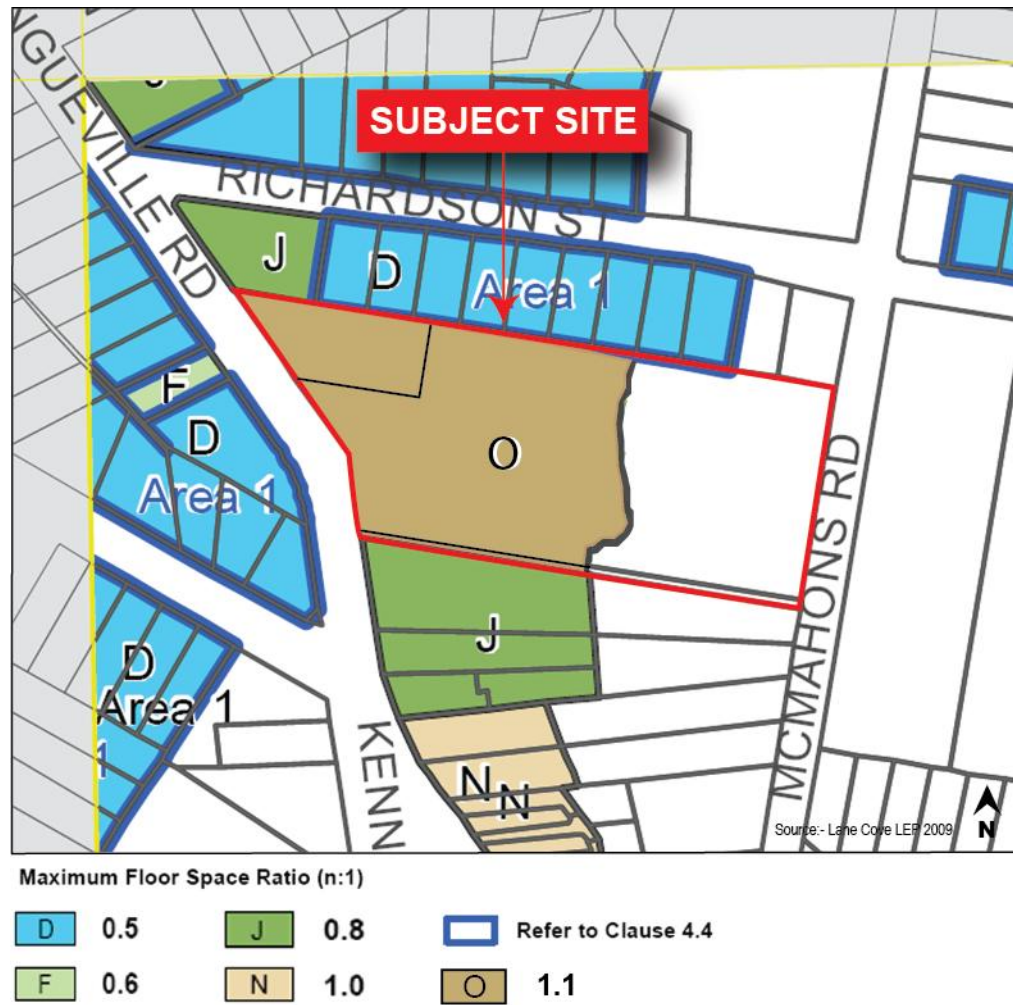


Figure 12: Proposed FSR provisions for the subject site

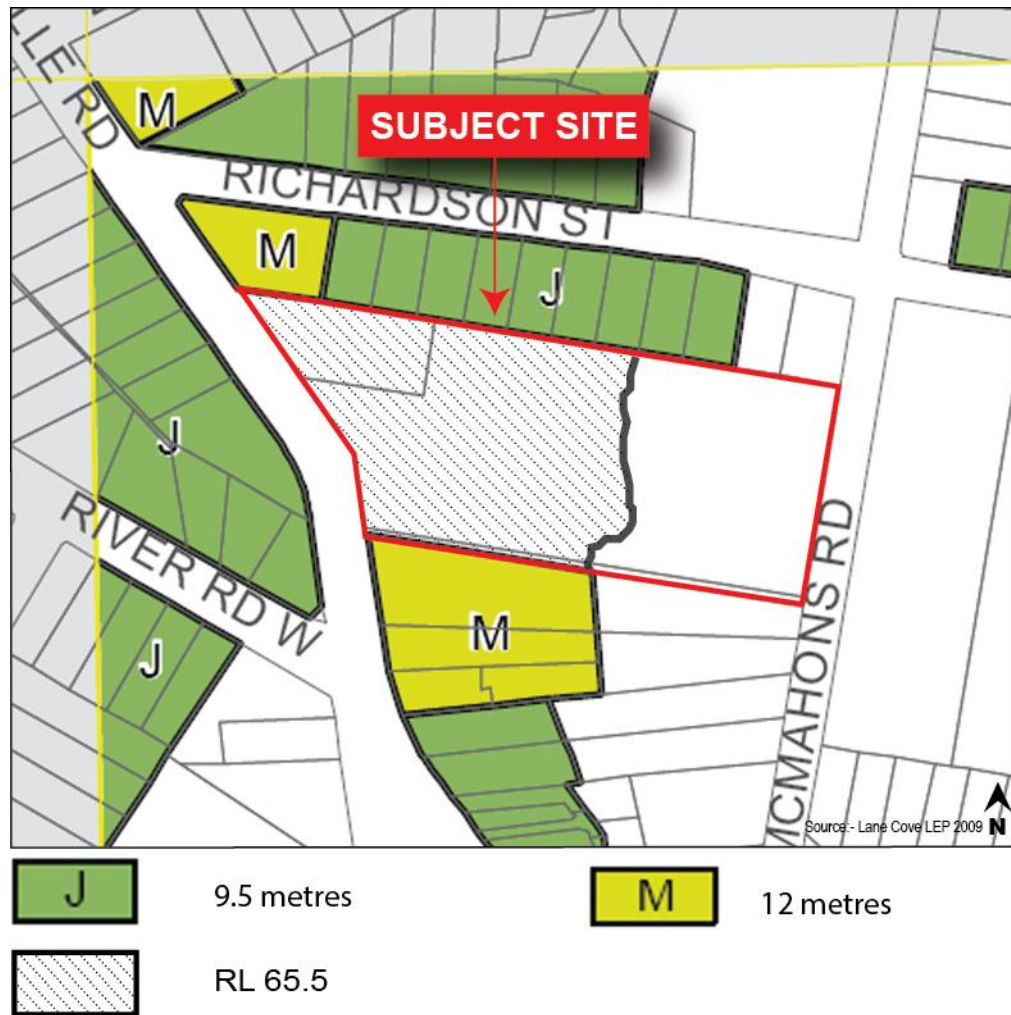


Figure 13: Proposed Height of Building restrictions for the subject site

In summary, the planning proposal seeks to amend Lane Cove LEP 2009 to affect the following:

- Zone that part of the site to the west of the E2 zoned land, R4 High Density Residential;
- Amend the FSR map to provide for a maximum FSR provision of 1.1:1 to that part of the site proposed to be zoned R4;
- Amend the Height of Buildings map to provide for a maximum height of building provision of RL65.5 on that part of the site proposed to be zoned R4;
- Change the classification of that part of the site proposed to be zoned R4 from community to operational.

8.3 Justification for those objectives, outcomes and provisions and the process for their implementation

This planning proposal recommends that the Zoning, FSR and Height of Buildings Maps should be amended and that part of the site proposed to be zoned R4 be reclassified to operational land. This section demonstrates how the proposed amendments to the Maps will satisfy the questions that the Department of Planning and Infrastructure applies to Gateway determinations.

8.3.1 Need for the Planning Proposal

The planning proposal will allow the western portion of the site, which has been identified as being surplus open space land, to be developed for a mix of high density residential development close to transport and facilities. Increasing the housing density within the Lane Cove LGA has been outlined as a target in both the Metropolitan Plan for Sydney 2036 and the draft Inner North Subregional Strategy. A housing target of an additional 3,900 dwellings has been set for the Lane Cove LGA. This planning proposal will assist in contributing to this goal.

1. Is the Planning Proposal a result of any strategic study or report?

This planning proposal is not directly the result of any strategic study or report. The need for the planning proposal has arisen following consideration of Council's long term plans for its surplus land holdings.

Council has undertaken a number of investigations which are relevant to this planning proposal. Each of these is discussed below.

Lane Cove Social Plan 2010–2014

The Lane Cove Social Plan comprises a social planning profile of the Lane Cove population and the Social Plan. It identifies the future social needs of the community.

The Lane Cove Social Plan aims to:

- Take account of existing and future social needs of communities;
- Design strategies to respond to, and plan for current or projected needs;
- Identify current and emerging social issues, and support the development and articulation of Council's approach to these issues; and
- Increase the capacity of government, community agencies, business and individuals to plan, adopt and implement strategies to take account of human social needs.

One of the key trends identified in the profile of the Lane Cove population was that although there were less 'younger' seniors, the number of 'older' seniors was increasing. This led to one of the key directions in the Social Plan being:

To identify Council land suitable for building affordable and accessible self-care units, close to Lane Cove villages

In conjunction with the Social Plan, Lane Cove Council also commissioned a specific Seniors Social Plan. This plan, among other things identified the need to *encourage the creation of more accessible and affordable housing which is appropriate for Seniors.*

The proposed rezoning of the western portion of the subject site will enable the development of seniors housing as part of any redevelopment proposal for the site. It is envisaged that any future residential development on the subject site will focus on housing for seniors. Therefore, this planning proposal is consistent with the recommendations of the Lane Cove Social Plan.

Community Strategic Plan 2025

The Community Strategic Plan promotes Lane Cove as a liveable area with:

- Appropriately located housing.
- Housing which is connected with the area in locations where it is easy for people to meet.
- Housing that is able to meet the lifestyle and lifecycle needs of the area.

The strategies with respect to housing include:

- Ensuring planning controls require a mix of housing types and encourage housing that is adaptable and accessible.
- Encourage the provision of aged care facilities and promote the availability of programs that allow for ageing at home.
- Remove impediments to, and encourage the supply of affordable housing.
- Plan for concentrated growth of housing around transport services.

The Community Strategic Plan acknowledges the need for more density, focuses on an aging population, smaller household sizes, housing choice that is socially sustainable and looks at the need for whole life-cycle planning which will consider more flats with lifts and adaptable and accessible housing.

This planning proposal will provide an opportunity to focus on these issues. The Planning Proposal is considered to be consistent with the recommendations of the Community Strategic Plan.

Sustainability Action Plan

The Sustainability Action Plan provides a framework by identifying key goals, and actions that must be taken when moving towards sustainability. It is about influencing performance, behaviours, attitudes and actions – at a Council, community, household and personal level – by encouraging local action on global issues.

The Sustainability Action Plan focuses on transport, social equity, development and resources in Lane Cove.

The subject site has good access to public transport and is near a major junction of principle roads in Lane Cove. In this regard the site is consistent with the principles of the sustainability plan in relation to transport.

The planned focus on housing for the aged ensures that this planning proposal will be consistent with the social equity issues contained in the Sustainability Plan.

Disability Discrimination Act Action Plan 2007-2012

The Disability Action Plan aims to establish accessible, effective and non-discriminatory facilities and services in the Lane Cove Area.

In this regard, Council has consistently encouraged medium and high density housing proposals to include adaptable apartments. Any future residential development on this site will focus on providing housing for older residents including the provision of adaptable apartments. In this way, the planning proposal is considered to be consistent with the Lane Cove Council Disability Action Plan.

Major Projects Strategic Plan 2007-2016

The basic premise of the Plan is a no disadvantage test in harvesting capital from underutilized assets in order to fund community projects in the wider public interest. The aim of the plan is to:

- Draw together into a single document projects identified by Council through the Social Plan, Cultural Plan, Sustainability Plan, Corporate Plan and draft Open Space Plan, draft S94 Contributions Plan and projects considered by Councillors in a number of forums including two (2) two-day planning workshops in 2005 and 2006. The Plan only includes projects with a potential (in a planning sense) for completion within the next 10 years and forms part of a broader asset management plan for all of Council's facilities.
- Provide a holistic approach to funding a number of community facilities.
- Identify a number of sites of which may be suitable for development.

The Major Projects Plan sets out a number of guiding principles which will be applied to a number of sites within the Lane Cove LGA, including the subject site. The plan also sets out the broad scope of what could be achieved on each site at a strategic level.

With respect to the subject site, the Major Projects Plan identified the upper part of the site as being suitable for residential units including the provision of aged care housing as noted in the Social Plan, adaptable housing or housing designed to include over 55 living.

In this regard, the planning proposal is considered to be consistent with the strategic direction of the Major Projects Plan.

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

The planning proposal is considered the most appropriate means of achieving the objectives identified in Council's strategic plans. The western portion of the subject site has been identified as being redundant open space land. A need for seniors housing in an accessible location has been identified. The rezoning of the subject land will assist in achieving these outcomes.

The subject site is well located in relation to retail services, public transport and open space.

In view of the above, it is considered that the most effective method of achieving the objective of providing for the development of the part of the subject site for residential uses, including seniors housing, is by this planning proposal.

3. Is there a net community benefit

The Planning Proposal can achieve improved planning outcomes for the site that are not possible based on the current zoning and classification provisions.

The development of this site for residential purposes would be financially beneficial for Council. It is intended that any profit gained from the development would be used to enhance and further develop Council assets for community use.

Council is currently investigating at a strategic level, the redevelopment and expansion of facilities at the Lane Cove Country Club to incorporate additional sporting facilities for the wider community.

Council is also investigating the construction of a path through the subject site to provide an accessible pedestrian link between Longueville Road and the proposed sporting club facilities. This path would be a public infrastructure for all residents in the community, including those with disabilities.

8.3.2 Relationship to strategic planning framework

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

The Metropolitan Plan for Sydney 2036 provides a long term planning framework that is based on strategic directions for the city. A number of the broad aims contained in the Metro Strategy are relevant to this Planning Proposal including:

- Increasing the proportion of homes within 30 minutes by public transport of a Major Centre to ensure jobs are located closer to home;
- Building at least 70% of new homes in existing urban areas; and
- Enabling residential growth in areas served by existing or planned public transport.

The Planning Proposal is consistent with these aims of the Metropolitan Plan for Sydney.

The draft Inner North Subregional Strategy, 2007 also applies to this proposal. The Strategy housing target is an additional 3,900 dwellings for the Lane Cove LGA. The draft subregional strategy also includes key directions with respect to housing including:

- Providing a mix of housing;
- Improving the affordability of housing; and
- Enabling communities to 'age in place'.

The Planning Proposal is considered to be consistent with the draft subregional Strategy.

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

As discussed above, Council has prepared a number of strategic plans which have informed the preparation of the overarching Major Projects Plan. The development of the subject site for a mix of seniors and high density residential development, together with the provision of a pedestrian link through the site is identified in the Major Projects Plan.

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

The consistency of the Planning Proposal against the relevant SEPPs is set out in **Table 3**.

Table 3: Consistency with applicable SEPPs	
Environmental Planning Instrument	Consistency
SEPP 1 Development Standards	The planning proposal will amend Lane Cove LEP 2009 and pursuant to Clause 1.9, SEPP 1 does not apply.
SEPP 4 Development Without Consent and Miscellaneous Exempt and Complying Development	The planning proposal will amend Lane Cove LEP 2009 and pursuant to Clause 1.9, SEPP 4 does not apply.
SEPP 6 Number of Storeys in a Building	The planning proposal does not propose controls for numbers of storeys.
SEPP 19 Bushland in Urban Areas	This planning proposal will not result in the removal of any bushland on the subject site. The western portion of the site has been identified as being suitable for higher density residential development and this part of the site does not support any bushland. Any development proposal for the land to be rezoned will need to address the provisions of the SEPP.
SEPP 32 Urban Consolidation (Redevelopment of Urban Land)	Consistent. The site has been identified as land no longer required for open space purposes therefore its use for residential development is appropriate and consistent with the aims and objectives of the SEPP.
SEPP 55 Remediation of Land.	Capable of consistency
SEPP 60 Exempt and Complying Development	The Planning Proposal will amend Lane Cove LEP 2009 and pursuant to Clause 1.9 SEPP 60 would not apply.

Table 3: Consistency with applicable SEPPs	
Environmental Planning Instrument	Consistency
SEPP 65 Design Quality of Residential Flat Development	The planning proposal does not affect the ability of future residential flat buildings from complying with SEPP 65 or the Residential Flat Design Code. The resultant built form arising from the implementation of the Planning Proposal will be required to satisfy SEPP 65 outcomes.
SEPP 70 Affordable Housing (Revised Schemes)	The planning proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	Capable of consistency
SEPP (Affordable Rental Housing) 2009	The planning proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	The planning proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	The planning proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
SEPP (Infrastructure) 2007	The planning proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
SEPP (Major Development) 2005	Not applicable
SEPP (Urban Renewal) 2010	Not applicable
SEPP (State and Regional Development) 2011	The Planning Proposal will not contain provisions that would be inconsistent with, or hinder the application of the SEPP.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	Capable of consistency

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

The consistency of the planning proposal against the section 117 Directions is set out in **Table 4** below.

Table 4: Consistency with applicable Section 117 Directions	
Section 117 Direction	Consistency
1. Employment and Resources	
1.1 Business and Industrial Zones	Not applicable
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

Table 4: Consistency with applicable Section 117 Directions

Section 117 Direction	Consistency
2. Environment and Heritage	
2.1 Environment Protection Zones	Consistent. Part of the subject site is zoned E2 Environmental Conservation. This zoning is to be maintained.
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Consistent. The planning proposal to rezone part of the subject site R4 to allow its development for residential purposes will not impact on the heritage significance of the identified local heritage item on the opposite side of Longueville Road.
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent This Direction applies as part of the site is proposed to be zoned to allow residential development. The planning proposal proposes to impose FSR and height of building restrictions on that part of the site to be zoned R4. These provisions do not currently apply to the land as it is zoned for open space purposes. The Planning Proposal is consistent with the objectives of this Direction as it - Will encourage a variety and choice of housing types to provide for existing and future housing needs of the Lane Cove community. - Will make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	Consistent. The site is located proximate to a local centre and is well serviced by public transport and road infrastructure. This planning proposal will achieve the objectives of the direction.
3.5 Development near licensed aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulphate soils	Not applicable

Table 4: Consistency with applicable Section 117 Directions

Section 117 Direction	Consistency
4.2 Mine Subsidence and Unstable Land	Consistent. A geotechnical investigation of the site has not revealed that the site is unstable.
4.3 Flood Prone Land	Not applicable
4.4 Planning for Bushfire Protection	Consistent A preliminary bushfire assessment has been undertaken and this has identified those parts of the site suitable for development from a bushfire perspective, including taking the provision of APZs into account.
5. Regional Planning	
5.1 Implementation of Regional Strategies	Not applicable
5.2 Sydney Drinking Water Catchment	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable
5.8 Second Sydney Airport: Badgerys Creek	Not applicable
6. Local Plan Making	
6.1 Approval and Referral Requirements	Capable of consistency
6.2 Reserving Land for Public Purposes	Capable of consistency. The total land area of the site is 1.519ha. Of this, nearly 6,000m ² is to be retained for the purposes of public recreation and bushland. The other 9,200m ² is proposed to be rezoned to allow for the development of Seniors Housing. This is in accordance with the objectives of Council's approved Major Projects Plan 2007-2016. Under the Major Projects Plan, Council proposes to construct a new Recreation Facility in the vicinity. This has the potential to offset any immediate net loss of public recreation space. The Major Projects Plan also states that 10% of the net revenue from the project will be used by Council to enhance adjacent open space. Subject to a Gateway determination, Council will amend its Development Control Plan for the area to determine the most appropriate controls for that part of the site to be developed.
6.3 Site Specific Provisions	Consistent. The planning proposal proposes to adopt controls which will enable the land to be developed for residential purposes having regard to its context and opportunities.
7. Metropolitan Planning	

Table 4: Consistency with applicable Section 117 Directions

Section 117 Direction	Consistency
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Consistent. This planning proposal is consistent with the broad aims of the Metro Plan with respect to housing provision and promoting public transport use.

8.3.3 Environmental, Social and Economic Impact

8. 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?

An assessment of the flora, fauna and fungi on the subject site and within the surrounding area has been undertaken as part of a due diligence assessment. This assessment found that development of the western portion of the site for residential purposes will not impact on any threatened species, populations or ecological communities or habitats subject to implementation of recommended measures to offset any impacts. Additional discussion regarding the findings and recommendations of the ecological assessment is provided in Section 4.1 of this report and a copy of the flora, fauna and fungi assessment is at **Appendix B**.

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

As discussed in Section 7.4 of this report, issues relating to bushfire affectation and geotechnical and site contamination issues have been considered as part of due diligence assessment of the site's development potential.

It is considered that these matters are capable of being managed appropriately as part of any development proposal for the site.

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

As discussed in Section 7.5, this planning proposal has been prompted by the Council's identification of the land as surplus open space. An earlier report by Council indicated that development of such sites could be used to fund other community projects and therefore, this proposal is likely to have positive social and economic effects for the Lane Cove community.

8.3.4 State and Commonwealth Interests

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

The Planning Proposal does not alter the public infrastructure requirements that would be required when compared to the existing zoning and planning controls. The site is within walking distance of public transport and retail facilities at Northwood and Lane Cove village. Upgrades to infrastructure arising from the redevelopment of the site (such as utilities and traffic) would be assessed during the development application process.

12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the relevant State and Commonwealth public authorities can be undertaken in conjunction with the exhibition of the planning proposal following the Gateway Determination.

8.4 Details of the community consultation to be undertaken

Statutory consultation with the community will occur following Gateway determination of the planning proposal. Council's Consultation Plan provides for formal exhibition for 6 weeks.

As the planning proposal also includes a reclassification of the land proposed to be zoned R4, in accordance with the provisions of the Local Government Act, a public hearing must be held. This will occur following exhibition of the planning proposal.

Lane Cove Council has already conducted the first of a series of community information workshops.

8.5 Project Timeline

The following table provides an indicative timeframe for the planning proposal including referral for gateway determination, public exhibition, the mandatory public hearing and an anticipated date of referral to the Minister with a request to make the plan.

Table 5 : Indicative Project Timeline	
Action	Timeframe
Report to Council to undertake pre Gateway community consultation	15 April 2013
Community consultation (3 weeks)	Early to mid May 2013
Anticipated commencement date (date of Gateway determination)	1 July 2013
Anticipated timeframe for the completion of required technical information	No further reports anticipated
Timeframe for the preparation of the public exhibition	+ 3 weeks 19 July 2013
Commencement and completion dates for public exhibition period	22 July to 30 August 2013
Timeframe for consideration of submissions	2 weeks. Up to 16 September 2013
Date for public hearing (Mandatory due to change in land classification)	16 September 2013
Timeframe for Commissions Report	2 weeks 1 October 2013
Date of submission to the department to finalise the LEP	28 October 2013

9 Conclusion

This report has been prepared to support a request that Lane Cove Council prepare a planning proposal to amend the Zoning, FSR and Height of Building Maps in Lane Cove LEP 2009 as they relate to the subject site. It is also proposed to reclassify that part of the subject site proposed to be zoned R4 from community to operational land.

In our opinion Council should support the planning proposal and accordingly refer the matter to the Department of Planning and Infrastructure for the Minister's Gateway Determination in order for the statutory process to amend Lane Cove LEP 2009 to commence.