

Rezoning of 4R Argyle Crescent, Randwick for environmental protection

Proposal Title : Rezoning of 4R Argyle Crescent, Randwick for environmental protection

Proposal Summary : To rezone land known as 4R Argyle Crescent from 5 (Special Uses Zone) to 7 (Environmental Protection - Natural Heritage Areas Zone) and include in the Randwick Environment Park Heritage Conservation Area.

PP Number : PP_2011_RANDW_003_00 Dop File No : 11/17260

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Not Recommended**

S.117 directions : **2.1 Environment Protection Zones**
 2.3 Heritage Conservation
 3.1 Residential Zones
 4.4 Planning for Bushfire Protection
 6.2 Reserving Land for Public Purposes
 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **Not proceed.**

Supporting Reasons : A rezoning is difficult to justify in that it will deny an essential defence related purpose which deserves to be assessed on its own merits.

These merits include the existing zoning of the land which permits housing development, and its well located position close to a range of services and facilities in an established and developing urban area. The development of the land for housing would also meet State Plan and Metropolitan Plan housing objectives. However, there is also a case to be made which recognises the conflicting housing and open space objectives and supports an incorporation of the land into the adjoining park.

Council has identified several major issues with the DA and asked the Commonwealth for further information to justify the development. It is considered more appropriate for the matter to be resolved through the development assessment process rather than a rezoning that does not have the support of the landowner.

Should the LEP Panel deem the proposal worthy of proceeding, the following conditions are recommended in line with advice from the Office of Environment and Heritage:

- That a survey be undertaken by a suitably qualified ecologist or botanist to determine what vegetation exists on site.
- That the Infrastructure and Biodiversity section of OEH be consulted regarding the conservation values of the subject land and appropriate mechanisms to protect those values.

The following condition is also recommended should the proposal proceed:

- That Council supports its position by acquiring the land or including a savings provision for the lodged DA.

Panel Recommendation

Rezoning of 4R Argyle Crescent, Randwick for environmental protection

Recommendation Date : **06-Oct-2011**

Gateway Recommendation : **Rejected**

Panel

The Planning Proposal should not proceed for the following reasons:

Recommendation :

1. It has not been argued that there is any protected or endangered vegetation or habitat on the subject land and therefore the environmental value of the site is not considered to be of such significance to warrant an environmental zoning considering the site is identified as essential for housing defence by the Commonwealth Government.
2. The planning proposal lacks justification, given the Commonwealth Government have not been consulted on the proposed rezoning, and Defence Housing Australia currently have a Development Application before Council.
3. Council should consider the Development Application under the provisions of the Environmental Planning and Assessment Act rather than seek a rezoning of the land to prohibit residential development.

Signature:



Printed Name:

D Rygate

Date:

9/11/11