

Lane Cove LEP 2009 Amendment - Open Space

Proposal Title : **Lane Cove LEP 2009 Amendment - Open Space**

Proposal Summary : **This planning proposal seeks to correct mapping anomalies in Lane Cove LEP 2009.**

PP Number : **PP_2012_LANEC_003_00**

Dop File No : **12/05915**

Proposal Details

Date Planning **20-Mar-2012**

Proposal Received :

LGA covered :

Lane Cove

Region : **Sydney Region East**

RPA :

Lane Cove Municipal Council

State Electorate : **LANE COVE**

Section of the Act :

55 - Planning Proposal

LEP Type : **Spot Rezoning**

Location Details

Street : **348 Burns Bay Road**

Suburb : **Lane Cove**

City : **Sydney**

Postcode : **2066**

Land Parcel :

Street : **0 Burns Bay Road**

Suburb : **Lane Cove**

City : **Sydney**

Postcode : **2066**

Land Parcel : **Lot 232 DP847567**

Street : **355 Burns Bay Road**

Suburb : **Lane Cove West**

City : **Sydney**

Postcode : **2066**

Land Parcel :

Street : **0 Tambourin Bay Road**

Suburb : **Riverview**

City : **Sydney**

Postcode : **2066**

Land Parcel : **Lot 2 DP177002 and part of Lot 1**

Street : **3 Lloyd Rees Drive**

Suburb : **Lane Cove West**

City : **Sydney**

Postcode : **2066**

Land Parcel :

Street : **0 Stuart Street**

Suburb : **Longueville**

City : **Sydney**

Postcode : **2066**

Land Parcel : **part of Lot 2 DP907301**

Street : **3 Dunois Street**

Suburb : **Longueville**

City : **Sydney**

Postcode : **2066**

Land Parcel :

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Street : **304 Pacific Highway**

Suburb : **St Leonards** City : **Sydney** Postcode : **2066**

Land Parcel :

Street : **0 Greendale Street**

Suburb : **Greenwich** City : **Sydney** Postcode : **2065**

Land Parcel : **Lot 3 DP 5252190**

Street : **706A Mowbray Road**

Suburb : **Lane Cove North** City : **Sydney** Postcode : **2066**

Land Parcel :

Street :

Suburb : City : Postcode :

Land Parcel : **Manns Point (Part Lot 2 DP 229766)**

Street :

Suburb : City : Postcode :

Land Parcel : **Sydney Water Lot (Lot 1 DP545251)**

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Stephanie Bashford**

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DoP Project Manager Contact Details

Contact Name : **Juliet Grant**

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub **Metro Inner North subregion** Consistent with Strategy : **Yes**

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting

Notes :

External Supporting

Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment : The planning proposal aims to:

- correct mapping errors in the Lane Cove LEP 2009 (LEP 2009);
- update historical mapping discrepancies transferred over from the previous LEP 1987
- apply the appropriate zoning for the land use on the site.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment : This planning proposal will fix up the mapping anomalies related to open space sites in ten areas. Each of the amendments will apply the correct zoning to that site according to Council policies or approved land uses.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA :

2.1 Environment Protection Zones

* May need the Director General's agreement

3.1 Residential Zones

4.4 Planning for Bushfire Protection

Is the Director General's agreement required? Yes

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

It is noted that the RPA did not identify the direction as being applicable. Some of the areas being rezoned are applying or removing RE1 Public Recreation zone on the land. Consequently, direction 6.2 Reserving Land for Public Purpose applies.

This direction states a draft LEP shall not create, alter or reduce existing zonings or reservations of land for public purpose without the approval of the Director General. It is considered that the rezoning of the various sites is consistent with the objectives to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. The approval of the Director General is recommended under Direction 6.2.

Council had designated a number of its open spaces as E2 to enhance protection of natural areas. On review it has determined that this zone is overly restrictive for seven sites in public ownership. It has added a public owned site to RE1 and removed a private site from RE1 as it does not wish to acquire it. A further site is to be changed from RE1 to E2 as it has bushland on it.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : Zoning maps and aerial photographs have been provided.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : This planning proposal is a low impact planning proposal and a 14 day public exhibition is recommended.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Lane Cove LEP was notified in February 2010.

Assessment Criteria

Need for planning proposal : This planning proposal will correct inappropriate zonings. It will also correct translation errors from LEP 1987. There are ten areas to be amended.

(1) Sydney University Rowing Club site: The E2 zone is on council owned and was incorrectly applied, the site should be zoned RE1 as it is part of a public park without significant bushland.

(2) Lane Cove West River: The site is currently zoned RE1. This Council owned site should be zoned E2 as it forms part of a strip of bushland. The narrow residue of the private land at No 355 Burns Bay Road should be R2.

(3) Tambourine Bay Rowing Shed: Macquarie University has a rowing shed on this property. The site is zoned E2. This zone does not allow rowing club activities. The southern end of the site should be zoned RE1 to permit these activities and the rest of the site will remain E2.

(4) Blackman Park House: The majority of the site is E2. The south eastern corner of this site contains a council owned house which Council proposes to zone RE1 to allow flexible options for community recreational use.

(5) North Shore Rowing Club: The boundary between the RE1 and E2 is to be realigned to ensure the portion containing the Rowing club is zoned RE1.

(6) No.3 Dunois Street: This is a private dwelling house and it is zoned RE1. Council does not wish to acquire the site. This will be changed to R2.

(7) Coronation View Point Park: The eastern most lot was incorrectly zoned as R4 this should be corrected to RE1 as it is part of a park.

(8) Greenwich Scout Hall: This site is currently zoned E2, however this will be rezoned to RE1 to allow for upgrades to the scout hall and active recreation.

(9) Possums Corner Child Care Centre: The child care centre is currently zoned E2, and Council wants to change it to IN2, where child care centres are permitted.

(10) Manns Point: This land was incorrectly zoned RE1 and Council wishes to zone it E2 to preserve the bushland.

The majority of these amendments are considered by Council to be mapping errors. The Department is supportive of these changes.

Consistency with strategic planning framework :

The planning proposal is consistent with Council's open space policy and SEPPs.

This planning proposal is consistent with all directions except 2.1 Environment Protection Zones, 3.1 Residential Zones and 6.2 Reserving Land for Public Purpose. Direction 2.1 states that environmental protection zones must not be reduced. However the amendments proposed which remove the E2 zone is considered to be of minor significance because the current and future uses are incompatible with E2. All sites are in public ownership.

Direction 3.1 is not consistent because land is being rezoned from R4 to RE1. However this is considered to be of minor significance because the land is currently a park.

Direction 4.4 Planning for Bushfire Protection will be complied with as Council will refer sites with new development that are Bushfire Prone to the Rural Fire Services. This includes the child care centre site, Tambourine Bay Rowing Club, the Blackman Park tennis court cottage and Greenwich Scout Hall.

Environmental social economic impacts :

This planning proposal will provide the appropriate zoning for the 10 sites proposed to be amended. This will reduce the environment conservation area, however the zonings applied are considered more appropriate.

The RE1 zoning for the rowing clubs and parks will allow appropriate recreation facilities which will have a positive social impact.

The planning proposal will not have a negative economic impact.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **6 Month** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) : **NSW Rural Fire Service**

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
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Planning Team Recommendation

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

S.117 directions: **2.1 Environment Protection Zones**
3.1 Residential Zones
4.4 Planning for Bushfire Protection

Additional Information : **It is recommended the Planning Proposal proceed subject to the following conditions:**

- (1)The planning proposal be exhibited for at least 14 days.**
- (2) The planning proposal be completed within six months of the Gateway Determination.**
- (3) Consultation with RFS is required.**
- (4) The Director General's approval of the planning proposal asjustifiably inconsistent**

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with the Section 117 Direction Direction 6.2 Reserving Land for Public Purposes.

Supporting Reasons : **The planning proposal should be approved as it is amending minor mapping errors.**

Signature:



Printed Name:

Susan Sky

Date:

29/03/12

