

**DECISION OF 3553rd COUNCIL (ASSESSMENTS)
MEETING
HELD ON 05/07/10**

397. G01: Report of Planning & Development Committee

Re Minute No 13: PD02: Planning proposal – Blue Street Car Park, Blue Street, North Sydney

Report of Brad Stafford, Senior Strategic Planner, 21 June 2010

Recommending:

THAT Council resolve to forward the attached planning proposal (once amended to include a correct legal description of the subject site) to the Minister for Planning in order to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.

Committee recommendation:

THAT Council resolve to forward the attached planning proposal to the Minister for Planning in order to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979, subject to it being amended by the applicant to:

1. Correct the legal description of the subject site and;
2. Specify that a single level only car park is permissible

ADOPTED

**Report to General Manager****Planning & Development Committee**

Attachments: planning proposal

SUBJECT: Planning proposal – Blue Street Car Park, Blue Street, North Sydney**AUTHOR:** Brad Stafford, Senior Strategic Planner, 21 June 2010**EXECUTIVE SUMMARY:**

Council has received a planning proposal for the site known as the Blue Street Car Park, situated on the elevated railway land on Blue Street, North Sydney.

The site is owned by the Roads and Traffic Authority of NSW (RTA), who are seeking to formalise the use of the car park via an amendment to North Sydney LEP 2001, to allow the additional permitted use of a *car park* on the subject site.

The site is zoned Road under NSLEP 2001, and has been used as a car park for a number of years. Car parking is not listed as a permissible use in the Road zone. In 2006 it was leased to the Transport Infrastructure Development Corporation for use as a construction compound during the upgrade of North Sydney Station. The RTA wishes to return the site to a car park, but has not been able to establish existing use rights.

The planning proposal is supported as it represents a continuation of a long-standing use with acceptable impacts on the surrounding area.

RECOMMENDATION:

THAT Council resolve to forward the attached planning proposal (once amended to include a correct legal description of the subject site) to the Minister for Planning in order to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act, 1979.

Sustainability Implications:

The environmental, social, economic and governance implications are set out in this report.

Signed _____

Endorsed by _____
Manager Strategic Planning

LINK TO MANAGEMENT PLAN

The relationship with the Management Plan is as follows:

Direction: 2. Neighbourhoods and Streetscapes

Program: 2.1 Strategic Planning, Policy and Design

SUSTAINABILITY STATEMENT

The following table provides a summary of the key sustainability implications which are addressed in full in this report:

QBL Pillar	Implications
Environment	North Sydney Council encourages the use of public transport to access North Sydney CBD through its restrictive car parking policies. Whilst increasing opportunities for car parking runs contrary to principles of environmental sustainability, the proposed LEP amendment seeks to formalise a long-standing existing use of a site well-suited to such a use.
Social	There are no discernable impacts in terms of social sustainability.
Economic	The proposed amendment will maintain the North Sydney CBD's economic viability and attractiveness through the provision of car parking opportunities (of which North Sydney has a relatively low number).
Governance	The proposal represents a considered approach to the orderly use of land in North Sydney, and is consistent with sustainable governance principles.

BACKGROUND

The subject site is an elevated stratum lot, situated adjacent to Blue Street, North Sydney, at the northern end of the Sydney Harbour Bridge railway approach structures. It is bounded by the North Sydney rail line to the south and the Pacific Highway to the north. The site is elevated above the Pacific Highway, level with the railway line.

The site is zoned Road under NSLEP 2001, and has been used as a car park for a number of years. Car parking is not listed as a permissible use in the Road zone. In 2006 it was leased to the Transport Infrastructure Development Corporation for use as a construction compound during the upgrade of North Sydney Station. The RTA wishes to return the site to a car park, but has not been able to establish existing use rights. Therefore, a planning proposal has been lodged to amend LEP 2001 to allow development for the purposes of a car park to be undertaken on that site.

The planning proposal has been prepared on behalf of the NSW Roads and Traffic Authority (RTA) and is attached to this report. It should be noted that the RTA have encountered some difficulties obtaining a correct legal description of the subject land, and the planning proposal, if supported by Council, will not progress until that information has been received. The recommendation to this report reflects this position.



Figures 1 and 2: Location map and aerial photo of subject site

PROPOSED AMENDMENT

The attached planning proposal proposes to add the additional permitted use of 'car park' on the subject site. Under NSLEP 2001 'car park' is defined as:

'... a building or place used for the parking of motor vehicles, other than parking which is ancillary to or incidental to development which is permissible either with or without development consent.'

PLANNING APPRAISAL

The subject site is currently zoned Road. The objectives of the Road Zone are to:

- (a) *identify land used for roads, and*
- (b) *allow for the flexible use of roads appropriate to their context.*

Development which may be carried out in the Road Zone:

advertisements; display of goods associated with an adjacent shop; drainage; footpath seating associated with an adjacent refreshment room; open space; remediation; roads; telecommunications facilities; temporary structures for the sale of produce and merchandise; utility installation, other than gas holders or generating works.

The addition of 'car park' as a permissible use on the subject site is not inconsistent with the objectives of the Road zone. It will facilitate the continuation of a land use (albeit temporarily halted) that has existed for some time. Such a use is unlikely to adversely impact on the amenity of the surrounding area.

Traffic

If the car park is largely used by long term commuter tenants who work in North Sydney, then the traffic generation is likely to be comparatively low and have a negligible impact on the surrounding traffic network. Commuter tenants are likely to enter the car park in the morning, park their cars all day, and then leave in the evening. There may be some limited movement during the day. The surrounding intersections and traffic network will continue to operate at similar levels of service.

However, if the car park has fees similar to other commercial car parks in North Sydney (up to \$19 per hour for casual parking) then the traffic generation will be significantly higher. This would encourage more short term parking, with a much greater turnover of vehicles.

Traffic impacts would be considered in-depth during any future development application assessment for the site.

The North Sydney DCP 2002 requires all developments to provide bicycle parking in recognition that bikes are an environmentally beneficial form of transport and an alternative to the use of private motor vehicles.

Similarly the RTA and State Government have objectives of encouraging more people to use alternative transport such as bicycles. Alternative transport relieves congestion on the roadways and also has environmental and health benefits to the individual and community as a whole.

The proposal states that secure bicycle parking could be offered as part of a car park development. This would need to be explored further during any future development assessment for the subject site.

Policy and Strategic Context

Draft Inner North Subregional Strategy

In July 2007, the State Government released the draft Inner North Subregional Strategy covering the North Sydney LGA. The Inner North Subregion is to provide capacity for 60,100 additional jobs by 2031. 15,000 of these are to be in the North Sydney LGA.

It is considered that the planning proposal has a negligible impact on these aims, given that the use of the site as a car park would return car parking in North Sydney to its previous level (prior to the discontinuation of the car park use on the site). The amendment would however contribute in a small way to the economic viability and attractiveness of the North Sydney CBD by providing a quantum of parking in what is a heavily parking-restricted area.

North Sydney LEP 2001

It is considered that allowing car parking on the site will not conflict with the Road zone objectives.

Draft North Sydney LEP 2009

The subject site is proposed to be zoned SP2 Infrastructure – Classified Road. As *car park* will not be a permissible use in that zone, the additional permitted use would have to be carried over into the new plan.

CONCLUSION

The planning proposal to allow to the additional use of '*car park*' on the subject site is considered to be satisfactory. Such a use is consistent with the site's previous use, and represents an economic and low impact use of the land.

It is therefore recommended that once a correct legal description of the land is obtained, Council forward the attached planning proposal to the DoP for gateway determination.