

PART 2 – EXPLANATION OF THE PROVISIONS

- Amend the LCLEP land zoning map as shown in Attachments B and C. Attachment B shows the current extent of the zone boundaries, while Attachment C shows the extend of the proposed new zone boundaries from B2 Local Centre to B4 Mixed Use.

PART 3 – JUSTIFICATION

Section A – Need for the planning proposal

1. Is the planning proposal a result of any strategic study or report?

The items subject to this Planning Proposal have not been subject to specific strategic reports or studies. They are the result of discussions held between Council and the Lane Cove Club. In their subsequent formal rezoning request, the Lane Cove Club stated that the proposed rezoning would help to facilitate the Club's ongoing economic viability and operation.

Please see the Council report of 18 February 2013 attached at Attachment D for details.

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 appropriate to allow and facilitate the redevelopment of a difficult site.

The locality map, as shown above, demonstrates that the Lane Cove Club (red-hatched area) is relatively isolated from the B2 Local Centre and is more closely associated with the adjoining B4 zone. The Lane Cove Club historically and currently has never formed part of the vital Lane Cove CBD retail floor space. Due to its lack of visibility and access to passing trade it is unlikely to become a viable retail area.

A rezoning of the site from B2 Local Centre to B4 Mixed Use will allow greater development potential for the site which is considered to be an unviable retail site.

Section B – Relationship to strategic planning framework.

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

Yes. The Draft Inner North Subregional Strategy provides a residential target of 3,900 new dwellings and 6,500 new jobs for Lane Cove. The demand on the club's facilities will increase substantially but, to fund improvements to the Club, it is considered appropriate to permit the redevelopment of the Club's car park adjacent. The DINSS states: "Sydney's entertainment and nightlife clusters contribute to the cultural life of the city as well as forming an important part of its economy. Development of [these] will enhance the vibrancy and liveability of centres. Providing opportunities to access entertainment and nightlife within the Subregion will also contribute to self- containment and reduce transport pressures" (DINSS, page 109). The Metropolitan Plan for Sydney 2036 states: "There is a broad range of facilities which play an important role in the functioning of communities. These are best located in centres because they attract large numbers of people and provide a focus for other activities" (page 64).

For a club and for residential, the site is well-located in Lane Cove's centre, opposite a new bus interchange at the Epping Rd/ Longueville Rd intersection, within 450 metres walking distance of Pacific Highway's bus routes, and facing the Rosenthal Avenue car park, and its viable redevelopment, in scale with its surroundings, would support these objectives and actions. It is not well – enough located for retail, which is a sensitive land use requiring stronger connectivity with other retail than this site provides.

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

The Planning Proposal is consistent with the Council's strategic plans and is relevant to:

(i) *Council's Cultural Action Plan* states:

“There is a need to prevent isolation and increase a feeling of community. There is an increasing number of older people, and increased mobility rates of people living in medium-density and high-density dwellings. Therefore, to prevent isolation and create a feeling of community, we need greater opportunities for social interaction and communication through cultural activities” (page 14).

(ii) *Lane Cove Social Plan*:

Goal S1 is to: “Encourage and support greater participation of seniors in community life”.

(iii) Lane Cove's LEP 2009:-

(a) Growth: The LEP provides for significant residential growth in new high density residential zones around the Town Centre's shops and transport, in addition to the existing flats predominating on Epping, Longueville and Burns Bay Rds, and in Lane Cove North within 500 metres of the club. The planning proposal will support Lane Cove's cultural and social goals for this residential growth as well as for the growing local workforce.

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

Yes. The proposal is consistent with relevant state environmental planning policies.

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

The Planning Proposal is consistent with Section 117 Directions. Details of applicable Directions are appended. The following Ministerial Directions are of particular relevance:

Direction 1.1 – Business and Industrial zones

Yes - key objectives and requirements for an “identified strategic centre”, including:-

(1)(c) “Support the viability of identified strategic centres” and

- (4)(c) “retain the areas and locations of existing business and industrial zones.”

are satisfied by the retention of the Lane Cove Club as a business zone. The Lane Cove Town Centre is an identified strategic centre under the Draft Inner North Subregional Strategy. The reduction in commercial floor space of 1,000 m² will, in practice, increase the use and viability of the 1,000 m² remaining as a more commercially viable Club. It is not a loss of any land which has ever been used for retail purposes.

Direction 7.1 – Implementation of the Metropolitan Plan for Sydney 2036

The Planning Proposal is consistent with this Direction as it seeks to implement the actions of the Metropolitan Plan for Sydney 2036. Please see Section B.3 above.

Section C – Environmental, social and economic impact.

7. 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?

No. The proposed zoning boundary adjustments will not affect any critical habitat or threatened species, populations or ecological communities, or their habitats as this is a developed urban area.

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

Traffic impacts would be comparable whether the Club's car park were developed for commercial or residential. Council is currently planning for new traffic lights at Birdwood Avenue/Longueville Road intersection to respond to this issue for the subject site and the centre generally, through Section 94 funding. It is to be noted that the NSW Roads and Maritime Services submission raised no objection to the recent proposal for an FSR of 2.5:1 permitting shop top housing.

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

The Lane Cove Club constantly contributes its support to the local Lane Cove community and residents. The social and economic benefit to the Lane Cove Club would be to facilitate this rezoning in order to redevelop the Lane Cove Club which will in turn ensure its ongoing financial viability. Any proposed redevelopment at 1-5 Birdwood Avenue will need to comply with the desired future character of area which is detailed in Council's existing Development Control Plan.

Section D – State and Commonwealth interests.

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

Please see Section C.8 above.

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

No State or Commonwealth public authorities have been consulted in the process of preparing this Planning Proposal.

PART 4 – MAPPING

A Site Identification, as well as current and proposed Land Zoning maps are attached to this Planning Proposal in Attachments A, B and C.

PART 5 – COMMUNITY CONSULTATION

Dependent on the Department's advice. Council's Consultation Policy provides for a six-week exhibition period.

PART 6 – PROJECT TIMELINE

Stage	Completion Date
Commencement date of Gateway	March 2013
Completion of required technical information	March 2013
Government agency consultation	April 2013
Commencement/ and completion dates for public exhibition	May 2013
Dates for public hearing	Not known
Consideration of submissions	17 June 2013
Consideration of a proposal post exhibition	17 June 2013
Date of submission to the Department to finalise the LEP	Not applicable (use of delegation)
Anticipated date RPA will make the plan (if delegated)	17 June 2013
Anticipated date RPA will forward to the	Early July 2013

Appendix A

State Environmental Planning Policies – Consistency

- re Gateway Question 3B(3)

SEPPs	Consistent
All below	Yes

SEPPs List from NSW Legislation website as at 23 5 11:-

- State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development
- State Environmental Planning Policy No 19—Bushland in Urban Areas
- State Environmental Planning Policy No 33—Hazardous and Offensive Development
- State Environmental Planning Policy No 55—Remediation of Land
- State Environmental Planning Policy No 60—Exempt and Complying Development
- State Environmental Planning Policy No 64—Advertising and Signage
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- Sydney Regional Environmental Plan No 18—Public Transport Corridors
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

Appendix B

Section 117 Directions – Consistency

- re Gateway Question 3B(4)

Link to S.117 Directions in full:-

<http://www.planning.nsw.gov.au/LinkClick.aspx?fileticket=VUtdGWadvE%3d&tabid=248&language=en-AU>

Direction	Item: Rezone 1 – 5 Birdwood Avenue from B2 to B4
Employment and Resources	
1.1 Business and Industrial zones	Consistent
1.2 Rural zones	N/A
1.3 Mining, Petroleum Production and Extractive Industries	N/A
1.4 Oyster Aquaculture	N/A
1.5 Rural Lands	N/A
Environment and Heritage	
2.1 Environment Protection Zones	N/A
2.2 Coastal Protection	N/A
2.3 Heritage Conservation	N/A
2.4 Recreation Vehicle Areas	N/A
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	Consistent
3.2 Caravan Parks and Manufactured Home Estates	N/A

3.3 Home Occupations	Consistent
3.4 Integrating Land Use and Transport	Consistent
3.5 Development Near Licensed Aerodromes	N/A
Hazard and Risk	
4.1 Acid Sulfate Soils	N/A
4.2 Mine Subsidence and Unstable Land	N/A
4.3 Flood Prone Land	N/A
4.4 Planning for Bushfire Protection	N/A
Regional Planning	
5.1 Implementation of Regional Strategies	N/A
5.2 Sydney Drinking Water Catchment	N/A
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A
5.5 Revoked	N/A
5.6 Revoked	N/A
5.7 Revoked	N/A
5.8 Second Sydney Airport: Badgerys Creek	N/A
Local Plan Making	
6.1 Local plan making: Approval and Referral Requirements	N/A
6.2 Reserving Land for Public Purposes	N/A
6.3 Site Specific Provisions	N/A
Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Consistent

Attachments

Attachment A: Site Identification Map
Attachment B: Current Land Zoning Map
Attachment C: Proposed Land Zoning Map
Attachment D: Council Report dated 18 February 2013
Attachment E: Draft Map for Public Exhibition
Attachment F: Aerial Photograph – Site Context

Attachment 1 – Information Checklist
 Attachment 4 – Evaluation Criteria for the Delegation of Plan Making Functions