

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

Proposal Title : Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

Proposal Summary : Planning proposal to remove an additional use in Schedule 1 of Canada Bay Local Environmental Plan 2013 for 69 Renwick Street, Drummoyne. The additional use permits a car park in association with an adjoining development at 162-166 Victoria Road, Drummoyne (former Drummoyne RSL club).

PP Number : PP_2013_CANAD_003_00 Dop File No : 13/18007

Proposal Details

Date Planning Proposal Received : 29-Oct-2013 LGA covered : Canada Bay

Region : Sydney Region East RPA : City of Canada Bay Council

State Electorate : DRUMMOYNE Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : 69 Renwick Street

Suburb : Drummoyne City : Sydney Postcode : 2047

Land Parcel : Lot 203 DP 1059556

DoP Planning Officer Contact Details

Contact Name : Nava Sedghi

Contact Number : 0285754117

Contact Email : nava.sedghi@planning.nsw.gov.au

RPA Contact Details

Contact Name : Paul Dewar

Contact Number : 0299116402

Contact Email : Paul.Dewar@canadabay.nsw.gov.au

DoP Project Manager Contact Details

Contact Name : Sandy Shewell

Contact Number : 0285754115

Contact Email : sandy.shewell@planning.nsw.gov.au

Land Release Data

Growth Centre : N/A Release Area Name : N/A

Regional / Sub Regional Strategy : Metro Inner West subregion Consistent with Strategy : Yes

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **69 Renwick Street, Drummoyne adjoins the former Drummoyne RSL site at 162-166 Victoria Road.**

Canada Bay Local Environmental Plan 2013 enables access to and from the former Drummoyne RSL site via 69 Renwick Street. The Department enabled access to the former Drummoyne RSL via 69 Renwick Street because RMS advised it would not grant its concurrence for vehicular access to the former RSL site from Victoria Road. The use of 69 Renwick Street to provide vehicular access was not supported by Canada Bay Council.

On 10 September 2013, Canada Bay Council wrote to the Minister for Planning and Infrastructure requesting the removal of the additional use which enables vehicular access to occur on the site of Renwick Street, Drummoyne in Schedule 1 of the Canada Bay LEP 2013.

On 12 September 2013, a meeting was held between the Minister, Department staff, the Council Mayor and residents of Renwick Street. The Mayor and residents raised concern about increased traffic in Renwick Street if vehicular access to the former Drummoyne RSL site was to be permitted via 69 Renwick Street.

At the meeting the Minister advised Council to prepare a planning proposal for the removal of the additional use and that the planning proposal would be considered on its merits. The Minister advised that RMS approval for vehicular access to the former RSL site from Victoria Street would be required to prevent the site from becoming landlocked.

On 15 October 2013, Council resolved to forward a planning proposal to the Department, seeking to remove the additional use for 69 Renwick Street.

Prior to submitting the planning proposal to the LEP Panel, the Department submitted the planning proposal to RMS for comment. RMS has confirmed its position that it will not approve vehicular access to the former RSL site. RMS' response is at Tag 1.

Canada Bay Council has accepted the Minister's offer to delegate his plan-making functions under section 23 the Environmental Planning & Assessment Act 1979 (EP&A Act). Council is seeking delegation to carry out the Minister's functions under section 59 of the EP&A Act 1979 to progress this planning proposal.

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

External Supporting
Notes :

Council has submitted the planning proposal because it is not supportive of the Department's post exhibition amendment to Canada Bay LEP 2013, which allows vehicular access off 69 Renwick Street, Drummoyne, under Schedule 1 Additional Permitted Use.

Council propose removal of vehicular access from 69 Renwick Street, Drummoyne for the following reasons:-

- the property at 162-166 Victoria Road has an existing driveway which previously had vehicular access;
- no other property on Victoria Street has vehicular access through to Renwick Street, Drummoyne; and
- the intersection at Renwick Street and Edwin Street has limited visibility and increased traffic would make this intersection more dangerous.

Adequacy Assessment

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

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the planning proposal is to:**

- reduce amenity impacts upon the residents of Renwick Street;
- reduce vehicular conflict with an established cycling route on Renwick Street; and
- reduce impacts on the Birkenhead and Dawson Estate Conservation Areas.

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

Is an explanation of provisions provided? **Yes**

Comment : **The amendment proposes to remove 69 Renwick Street, Drummoyne from Schedule 1 Additional Permitted Uses in the Canada Bay LEP 2013.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **Yes**

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

2.3 Heritage Conservation

* May need the Director General's agreement

4.1 Acid Sulfate Soils

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **No**

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

d) Which SEPPs have the RPA identified?

SEPP (Infrastructure) 2007

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 :

The planning proposal is inconsistent with State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP). This inconsistency relates to Clause 101 - Development with frontage to classified road. This clause states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless:-

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

1. where practicable, vehicular access to the land is provided by a road other than the classified road; and
2. the safety, efficiency and ongoing operation of the classified road will not be adversely affected.

Victoria Road is considered a classified road under the Roads Act 1993.

The planning proposal is inconsistent with the ISEPP because:-

1. it aims to remove vehicular access to a site which fronts a classified road and access is currently provided to that site by a road other than the classified road; and
2. RMS has advised that if there was access to the former RSL site off Victoria Road there would be potential safety and traffic impacts on Victoria Road.

RMS advises that access to the former RSL site should be maintained from Renwick Street. RMS also states that it will deal with the issue of potential conflict of traffic and the established cycle way by giving consideration to appropriate traffic calming treatments and bicycle facilities to improve the safety of cyclists on Renwick Street.

The Department considers the planning proposal does not provide sufficient justification for the inconsistency with the Infrastructure SEPP.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment : There are no amendments to maps associated with the Canada Bay LEP 2013.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The planning proposal recommends a public exhibition period of 14 days.

Project Time Line

The planning proposal contains an estimated project time line for completion within 5 months (May 2014).

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? **No**

If No, comment : The planning proposal does not adequately address the inconsistency with the Infrastructure SEPP.

Proposal Assessment

Principal LEP:

Due Date : **August 2013**

Comments in relation to Principal LEP :

Draft Canada Bay LEP 2013 was publicly exhibited from 14 November 2011 to 24 February 2012. A second exhibition followed from 20 August 2012 to 17 September 2012. Canada Bay LEP 2013 commenced on 2 August 2013.

During the second exhibition of draft Canada Bay LEP 2013, Council received 38 submissions objecting to the additional permitted use in Schedule 1 for 69 Renwick Street, Drummoyne. As a result, on 6 November 2012, Council resolved to remove the additional

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

permitted use, so as not to permit vehicular access through 69 Renwick Street, Drummoyne.

The landowner of the former RSL site provided correspondence, dated 22 February 2013, from RMS advising of their refusal to grant concurrence for vehicle access from Victoria Road (see Tag 2). This decision was based on road safety impacts and maintenance of network efficiency. RMS indicated that access to 162-166 Victoria Road, Drummoyne shall be maintained from Renwick Street, and that it is unlikely that the development will result in traffic generation exceeding 300 vehicles per hour.

The Department considered the advice from the RMS and included the additional use in draft Canada Bay LEP 2013. The inclusion of vehicular access from 69 Renwick Street enables the former RSL site to be developed and prevents the former RSL site being land locked. In recent correspondence, RMS maintains its objection to vehicular access via Victoria Road (refer Tag 1).

Assessment Criteria

Need for planning proposal :

Council has indicated there is a need for the planning proposal for the following reasons:-

- the former RSL site has an existing driveway cutout leading onto Victoria Road and could be readily activated with RMS agreement;
- all other properties on Renwick Street are residential properties in keeping with the R2 Low Density zoning;
- no other property on Victoria Road has vehicular access through Renwick Street;
- Renwick Street is located within the Birkenhead and Dawson Estates Heritage Conservation Area;
- Renwick Street has a dedicated cycleway to and from the city; and
- the intersection at Renwick Street and Edwin Street has limited visibility, which would become more dangerous with increased traffic.

The Department is not satisfied that there is sufficient justification to warrant progressing the planning proposal. RMS has not granted its approval for the former RSL site to be accessed via Victoria Road.

Consistency with strategic planning framework :

The Metropolitan Plan for Sydney, draft Metropolitan Strategy and draft Inner West Subregional Strategy encourage planning for development along centres and corridors with good access to services and public transport.

The site is located within the 600m walking catchment of Drummoyne Village. The site is in close proximity to shops and public transport. The planning proposal would potentially prevent development of the former Drummoyne RSL site. This is considered inconsistent with the objectives of the strategic planning framework.

Environmental social economic impacts :

The planning proposal is not supported by a traffic study that justifies that maintaining vehicle access to the former Drummoyne RSL site from 69 Renwick Street will result in adverse traffic implications.

Preventing vehicle access from Renwick Street to the former RSL site would impact on the redevelopment of the former RSL site. This would potentially impact the ability to generate jobs and/or provide additional housing in a centre.

Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

Assessment Process

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

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

Public Authority Consultation - 56(2) (d) : **Transport for NSW - Roads and Maritime Services**

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

(2)(a) Should the matter proceed ? **No**

If no, provide reasons : **The planning is not supported for the following reasons:-**

- it is inconsistent with the Infrastructure SEPP;
- RMS has refused to grant its concurrence to allow vehicular access to the former RSL site via Victoria Road;
- removing vehicular access from 69 Renwick Street will result in the former RSL site being land locked and result in the site being undeveloped. This is inconsistent with the strategic planning framework, which encourages development located near public transport, shops and services; and
- no supporting information has been provided to suggest maintaining vehicular access via Renwick Street would result in significant traffic and safety impacts.

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
Council letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Tag 2 - RMS Letter 22 February 2013.pdf	Study	Yes
Tag 1 RMS Response.pdf	Study	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
2.3 Heritage Conservation

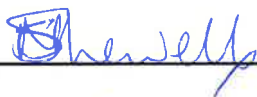
Planning proposal to remove an additional use of permitting car parking at 69 Renwick Street, Drummoyne

4.1 Acid Sulfate Soils
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
6.3 Site Specific Provisions
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : It is recommended that the planning proposal not proceed to a gateway because RMS has refused access from 162-166 Victoria Road, Drummoyne to the former Drummoyne RSL site and this would impact on the redevelopment of this site. The planning proposal is considered inconsistent with the aims of the Metro Plan, draft Metro Strategy, and draft Subregional Strategy.

Supporting Reasons : Redevelopment of the former Drummoyne RSL site has the potential to generate employment and/or provide additional dwellings within Canada Bay Local Government Area.

Signature:



Printed Name:

Sandy Shewell

Date:

12.12.13

