

Rezone Land at 131 to 133 Croudace Road Elmore Vale from R2 Low Density Residential to B2 Local Centre and Amend Development Controls

Proposal Title : **Rezone Land at 131 to 133 Croudace Road Elmore Vale from R2 Low Density Residential to B2 Local Centre and Amend Development Controls**

Proposal Summary : **a) Amend the Land Zoning Map from R2 Low Density Residential to B2 Local Centre
b) Amend the Height of Buildings Map to apply a maximum permissible height of 11 metres over the land (currently 8.5m.)
c) Amend the Minimum Lot Size map to apply no minimum lot size over the land (currently 400m2) ; and
d) Amend the Floor Space Ratio map to apply a 1.5:1 FSR over the land (currently 0.75:1).**

PP Number : **PP_2016_NEWCA_003_00** Dop File No : **16/03744**

Proposal Details

Date Planning Proposal Received : **01-Mar-2016** LGA covered : **Newcastle**

Region : **Hunter** RPA : **Newcastle City Council**

State Electorate : **WALLSEND** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **131-133 Croudace Road**

Suburb : **Elmore Vale** City : **Newcastle** Postcode : **2287**

Land Parcel : **Lots A & B DP 412510**

DoP Planning Officer Contact Details

Contact Name : **Ken Phelan**

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RPA Contact Details

Contact Name : **Samantha Cross**

Contact Number : **0249742000**

Contact Email : **scross@ncc.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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Land Release Data

Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :	Lower Hunter Regional Strategy	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :	0.44	Type of Release (eg Residential / Employment land) :	Employment Land
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 : **Two existing residential lots/ dwellings with a combined frontage of 30m to Croudace Road and average depth of 140m are proposed to be rezoned to allow the expansion of the Elmore Vale Local Centre by 4,382m² of land. The proposed floorspace ratio control (up from 0.75:1 to 1.5:1) increases the potential gross commercial floor area of the centre by some 6,600m². The proposal is consistent with the status of the centre under the Lower Hunter Regional Strategy, the Draft Hunter Regional Plan and Council's Community Strategic Plan 2030 as well as local planning strategy for Elmore Vale (2015) and the Newcastle Employment Lands Strategy. The proposed increase in height of building from 8.5m to 11m is generally appropriate to the proposed B2 commercial zone as is the removal of the 400m² minimum lot size such that no minimum lot size will apply to the land.**

External Supporting Notes :

Adequacy Assessment

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

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

Comment : **'to enable development of the subject land for commercial purposes'**

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

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

Comment : **• Amend Newcastle LEP 2012 Land Zoning (LZN) map from R2 Low Density Residential to B2 Local Centre.**

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- Amend Height of Buildings (HOB) map from 8.5m to 11m.
- Amend Floor Space Ratio (FSR) map from 0.75:1 to 1.75:1.
- Amend Minimum Lot Size (LSZ) map from 400m2 to have no minimum lot size. (detailed on p.2 of the planning proposal)

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

4.1 Acid Sulfate Soils

4.2 Mine Subsidence and Unstable Land

5.1 Implementation of Regional Strategies

6.3 Site Specific Provisions

Is the Director General's agreement required?

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

d) Which SEPPs have the RPA identified?

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Infrastructure) 2007

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

Have inconsistencies with items a), b) and d) being adequately justified?

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Land Zoning: existing and proposed (p.12)

Height of Building: existing and proposed (p.13)

Floor Space Ratio: existing and proposed (p.14)

Lot Size: existing and proposed (p.15)

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A minimum 14 day consultation period is proposed.

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 :

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Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Newcastle Standard Instrument LEP was published 15 June 2012.**

Assessment Criteria

Need for planning proposal :

**The two residential lots/ dwellings to be rezoned are situated between the Elmore Vale commercial centre and the Elmore Vale Early Learning Centre.
As larger residential lots they represent an opportunity for acquisition and rezoning to enable expansion of the shopping centre and to gain a modest increase in its Croudace Road street frontage/ exposure. The area is accessible being near the intersection of Cardiff Road with Croudace Road and six bus stops are located at 90m, 96m, 261m and 315m from the centre's pedestrian entrance and offer frequent north-south and east-west services along Croudace Road, Cardiff Road and Cambronne Parade.**

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Consistency with strategic planning framework :

State Environmental Planning Policies (SEPP)

SEPP (Exempt and Complying Development Codes) 2008
This is not triggered by the proposal.

SEPP (Infrastructure) 2007
This is not triggered by the proposal.

The planning proposal is consistent with all other SEPP's.

Directions under Section 117 of the Environmental Planning and Assessment Act

1.1 Business and Industrial Zones

The proposal is consistent with this Direction in that it proposes employment generating land of appropriate scale in an appropriately serviced, accessible location.

3.1 Residential Zones

While two existing houses and 4,382m² of residential zoned land will be lost, residential uses and shop-top housing are permitted in the proposed B2 Local Centre zone. The proposal is consistent with this Direction.

3.4 Integrating Land Use and Transport

Car access to this location is good, but at the expense of public and active transport in that pedestrians and cyclists must travel through extensive car parking areas to gain access and in places mix with motor traffic. There is not full bus shelter provision at all stops in surrounding streets and no cycleway access nor associated secure, weather-protected bike parking facilities on site.

Council's attention is drawn to the transport planning principles in those publications cited in this Direction:

- (a) 'Improving Transport Choice- Guidelines for planning and development' (DUAP 2001) and
- (b) 'The Right Place for Business and Services'- Planning Policy (DUAP 2001)

The rezoning of land to commercial use implies an intensification of use flanking and accessed from the main road Croudace Road, and possibly the main road Cardiff Road. The proposal should therefore be referred to NSW Roads and Maritime Services for advice.

With the above actions the planning proposal will be consistent with this Direction.

4.1 Acid Sulfate Soils

Council indicates its intention to require a site-specific Acid Sulphate Soils investigation. With this investigation the planning proposal will be consistent with this Direction.

4.2 Mine Subsidence and Unstable Land

The proposal is located within the Newcastle Mines Subsidence District. Council indicates its intention to consult the mines Subsidence Board. With this referral the proposal will be consistent with this Direction.

5.1 Implementation of Regional Strategies

Council states that:

The site is located in an existing urban area as set out in the Lower Hunter Regional Strategy. The proposed rezoning will reinforce the existing hierarchy of centres and improve access to shopping, employment and other services. The ongoing viability and diversity of the centre will be enhanced without impacting on neighbouring centres. The proposal is also consistent with the relevant goals and directions of the draft Hunter Regional Plan.

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The above assessment is supported at this stage however the overall potential for expansion and intensification at this site should be monitored having regard to Draft Hunter Regional Plan Direction 1.1- Grow and sustainably manage Hunter City consisting of:

'a network of centres with well-established transport systems'

Elmore Vale centre has potential for an additional 40,000m2 under existing development intensity controls including this proposed extension of the centre's footprint by using the site's slope for undercroft car parking. The economic and transport impacts of such a development proposal would need careful assessment.

Council's Local Planning Strategy (July 2015) classifies the Elmore Vale centre as Local Centre (Minor) the function of which is to:

'Meet[s] the daily and weekly needs of the local residents and provides a limited range of retail, community and service facilities'.(Table 2, p.17)

The proposal is consistent with the Local Planning Strategy given its 6,600m2 gross floor area potential, however the overall potential within the current development controls is more significant.

With the long-term Local Planning Strategy controls for Elmore Vale Local Centre the proposal is consistent with this Direction.

6.3 Site Specific Provisions

This Direction is not triggered as the proposal does not seek LEP provisions that are specific to this site.

Environmental social
economic impacts :

Environmental Impacts

Overshadowing, overlooking, reduced natural ventilation, noise and glare/ heat reflection at the Elmore Vale Early Learning Centre are relevant considerations for Council at the development stage.

The scale of ultimate expansion, business mix, built form, trading hours and transport planning measures will determine the wider neighbourhood environmental impact.

Social Impact

Some diversification of local facilities and services would benefit centre users and those with limited mobility. The co-location of retail and childcare/ early learning offers multi-purpose trip opportunities. Accessibility by bus to this location is good but as noted above active transport measures could make the centre more inclusive and improve transport choice.

Economic Impact

Such incremental expansion of the local centre does not create major impacts either locally or strategically. However the long-term cumulative impacts of an increasing footprint in conjunction with the exercise of more intensive development potential should be monitored and documented. This should be communicated to neighbours and wider community, possibly via a local centre masterplan. Any impacts on the provision of infrastructure and services by State agencies could also be better assessed over the long-term on this basis.

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Assessment Process

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

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority **Essential Energy**
 Consultation - 56(2)(d) **Mine Subsidence Board**
Transport for NSW - Roads and Maritime Services

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
Newcastle City Council_01-03-2016_Request for Gateway determination - 131-133 Croudace Road Elmore Vale_.pdf	Proposal Covering Letter	Yes
Planning Proposal - 131 - 133 Croudace Road Elmore Va.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions:

- 1.1 Business and Industrial Zones**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 4.2 Mine Subsidence and Unstable Land**
- 5.1 Implementation of Regional Strategies**
- 6.3 Site Specific Provisions**

Additional Information : **The proposal be referred to Mines Subsidence Board and Roads and Maritime Services; A Site-specific Acid Sulphate Soils investigation should be undertaken prior to public**

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exhibition;

Council is encouraged to work with the proponent to prepare a long-term master plan for the Elmore Vale Local Centre so that its infrastructure and servicing needs and neighbourhood impacts can be better understood by the local community and NSW agencies.

Supporting Reasons : The proposal is generally consistent with all state planning policies and Directions.

Signature:



Printed Name:

K O'Flaherty

Date:

21/3/16