

Sutherland Shire Local Environmental Plan 2006 (Amendment 21)

Proposal Title : Sutherland Shire Local Environmental Plan 2006 (Amendment 21)

Proposal Summary : Rezoning land at 1091A Old Princess Highway, Engadine from Zone 12 - Special Uses (Utilities) to Zone 8 - Urban Centre; and

Amending Clause 14 - Exceptions to Zoning Table to permit hotels with a maximum floor space ratio of 1:1 on land at 533-541 Princess Highway, Kirrawee.

PP Number : PP_2013_SUTHE_002_00 **Dop File No :** TBA

Proposal Details

Date Planning Proposal Received : 19-Dec-2012 **LGA covered :** Sutherland

Region : Sydney Region East **RPA :** Sutherland Shire Council

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

LEP Type : Spot Rezoning

Location Details

Street : 1091A Old Princes Highway

Suburb : Engadine **City :** Sydney **Postcode :** 2233

Land Parcel :

Street : 533-541 Princes Highway

Suburb : Kirrawee **City :** Sydney **Postcode :** 2232

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : Danijela Karac

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RPA Contact Details

Contact Name : Paul Manning

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DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

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Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro South subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	0
Gross Floor Area :	5,722.00	No of Jobs Created :	115

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

If No, comment :

Have there been meetings or communications with registered lobbyists? :

If Yes, comment : The Department is not aware of any meetings or communications with registered lobbyists concerning this Planning Proposal.

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 objective of this Planning Proposal is to amend the Sutherland Shire LEP 2006 in order to:

- Rezone land at 1091A Old Princes Highway, Engadine to Zone 8 - Urban Centre which is no longer required by the Utilities; and
- To permit hotels on land at 533-541 Princess Highway, Kirrawee in order to broaden the range of permissible landuses on this site.

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

Is an explanation of provisions provided? Yes

Comment : Council has indicated that two changes are required to the LEP 2006 to facilitate this Planning Proposal.

1. In relation to the rezoning of land at 1091A Old Princes Highway, Engadine the LEP will require a map change;

2. In relation to permitting hotels on land at 533-541 Princes Highway, Kirrawee, Clause 14 - Exceptions to Zoning Table will need to be amended to permit hotels with a maximum

FSR of 1:1 on this site.

Council's explanation of the provisions is acceptable.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

1.1 Business and Industrial Zones

3.4 Integrating Land Use and Transport

5.1 Implementation of Regional Strategies

6.1 Approval and Referral Requirements

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 : **No**

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

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

There are no other matters that need to be considered.

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

If No, explain :

The Planning Proposal has been appropriately justified by Council.

In relation to land at 1091A Old Princess Highway, Engadine, Council has indicated that a preliminary site investigation under SEPP55 revealed that there is an Underground Petroleum Storage Tank located on the adjacent property and that there is a possibility of contamination leaching from the storage tank. However, Council has requested that the Phase II investigation be delayed to the Development Application Stage given that the proposed rezoning would facilitate a wider range of landuses.

Council's approach is supported in this instance. However, a condition attached to the Gateway Determination is recommended which requires a copy of the Preliminary Site Investigation to be publicly exhibited with the Planning Proposal.

The Planning Proposal is consistent with the relevant Section 117 Directions listed above.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Council has provided a copy of the relevant maps which are acceptable for exhibition purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

If supported, Council intends to exhibit the Planning Proposal in accordance with the Gateway Determination through a comprehensive consultation strategy comprising:
- advertising in the local newspaper (e.g. The St George and Sutherland Shire Leader and the Liverpool City Champion);
- advertising on Council's website; and
- writing to relevant adjoining landowners who may be affected by the proposal.

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 : **The proposal meets the adequacy criteria to proceed to Gateway Determination.**

Proposal Assessment

Principal LEP:

Due Date : **July 2013**

Comments in relation to Principal LEP : **On 20 December 2012, Council submitted the Draft Sutherland LEP 2013 requesting the Director General issue a certificate to allow the DLEP to be exhibited..**

The Department is working toward finalising the certificate to allow Sutherland Council to exhibit the DLEP in the first quarter of 2013.

Assessment Criteria

Need for planning proposal : **There is a need for this Planning Proposal as an interim measure to facilitate a broader range of landuses on the two sites until the Draft Sutherland LEP 2013 (DLEP2013) is made.**

- In relation to land at 1091A Old Princes Highway, Engadine, the current zoning of the land reflects its previous use by Telstra who no longer requires the site. Council's proposed zoning to 8 - Urban Centre is consistent with the zoning of the adjoining land and will increase the range of permissible landuses on this site.

Council's DLEP2013 proposes to zone the site, including the adjoining land to B3 Commercial Core which would continue to permit a wide range of landuses.

- In relation to the land at 533-541 Princes Highway, Kirrawee, the proposed amendment to Clause 14 to permit hotels as an additional landuse would not usually be supported. However, in the absence of a suitable zone under the 2006 LEP, the addition of hotels as a permissible zone is acceptable because the DLEP2013 will zone the site B6 Enterprise Corridor where pubs and hotel and motel accommodation are permissible with consent. Therefore there will not be a need for the site to be included under Schedule 1 of the DLEP 2013.

Consistency with strategic planning framework : **The Planning Proposal is generally consistent with the Sydney Metropolitan Plan 2036 and the Draft South Subregional Strategy as it will support development and employment generation in centre locations.**

Environmental social economic impacts : **The proposal will not have adverse environmental, social and economic impacts. The rezoning of the site in Engadine and the addition of hotels as a permissible use on the Kirrawee site will provide additional employment opportunities which will create wider economic and social benefits.**

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Assessment Process

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

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority
Consultation - 56(2)(d)
:

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

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

If no, provide reasons : **The Planning Proposal should proceed as it will provide additional development and employment opportunities in suitable centre locations. The Planning Proposal is necessary as an interim measure before the DLEP 2013 is made.**

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

If Yes, reasons : **N/A**

Identify any additional studies, if required. :

If Other, provide reasons :

Nil

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 : **N/A**

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter Draft LEP 2006 Am 21.pdf	Proposal Covering Letter	Yes
Project Timeline Draft LEP 2006 Am 21.pdf	Proposal	No
Planning Proposal Draft LEP 2006 Am 21.pdf	Proposal	Yes
Maps 1091A Old Princes Highway Draft LEP 2006 Am 21.pdf	Map	Yes
Maps 533 541 Princes Highway Draft LEP 2006 Am 21.pdf	Map	Yes
Council Report 1091A Old Princes Hwy Draft LEP 2006 Am 21.pdf	Proposal	Yes
Council Report 533 541 Princes Hwy Draft LEP 2006 Am 21.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
3.4 Integrating Land Use and Transport
5.1 Implementation of Regional Strategies
6.1 Approval and Referral Requirements**

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6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that the Planning Proposal proceed, subject to conditions:**
1. the Planning Proposal should be exhibited for 14 days;
2. the Planning Proposal should be completed within a 9 month timeframe; and
3. The Preliminary Site Investigation Report shall be publicly exhibited as part of the exhibition package.

Supporting Reasons : **The above conditions are recommended to ensure that a transparent and orderly Planning Proposal process is undertaken.**

Signature: _____



Printed Name: _____

DANIJELA KARAC'

Date: _____

10 January 2013