

Amendment No 17 to Sutherland Shire LEP 2006 - planning proposal to rezone three parcels of land

Proposal Title : **Amendment No 17 to Sutherland Shire LEP 2006 - planning proposal to rezone three parcels of land**

Proposal Summary : **Rezone part of 349 Willarong Road, Caringbah South, from a waterways zone to a residential zone under SSLEP 2006 to correctly reflect the location of the mean high water mark.
Rezone part of 66-74 Karimbla Road, Miranda, from an open space zone to a residential zone under SSLEP 2006 to enable a strip of council-owned land that previously provided access to a park to be sold to the owner of an adjoining residential property. The planning proposal also intends to reclassify this land from community to operational to facilitate its sale.
Rezone part of Kiora Lane, Miranda, from a road zone to an urban centre zone under SSLEP 2006 to enable it to be incorporated into a Westfield redevelopment proposal.**

PP Number : **PP_2012_SUTHE_003_00** Dop File No : **xx**

Proposal Details

Date Planning Proposal Received :	20-Jul-2012	LGA covered :	Sutherland
Region :	Sydney Region East	RPA :	Sutherland Shire Council
State Electorate :	CRONULLA MIRANDA	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	349 Willarong Road		
Suburb :	Caringbah South	City :	Postcode :
Land Parcel :	Part Lot 1 DP 1169978		
Street :	66-74 Karimbla Road		
Suburb :	Miranda	City :	Postcode :
Land Parcel :	Part Lot 2 DP 570622		
Street :	Kiora Lane		
Suburb :	Miranda	City :	Postcode :
Land Parcel :	Part		

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DoP Planning Officer Contact Details

Contact Name : **Margaret Kirton**
Contact Number : **0292286289**
Contact Email : **margaret.kirton@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Leah Wedmore**
Contact Number : **0297100633**
Contact Email : **lwedmore@ssc.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

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 :	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 : **The Department is not aware of any meetings or communication with registered lobbyists regarding this planning proposal.**

Supporting notes

Internal Supporting Notes :

External Supporting Notes :

Adequacy Assessment

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

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

Comment :

The objective of the planning proposal is to:

- 1. rezone part of 349 Willarong Road, Caringbah South, from SSLEP 2006 Zone 16 - Environmental Protection (Waterways) to Zone 2 - Environmental Housing (Scenic Quality). The intention is to place the zone boundary on the true mean high water mark following the registration of a recent Plan of Redefinition.**
- 2. rezone part of 66-74 Karimbla Road, Miranda, from Zone 13 - Public Open Space to Zone 4 - Local Housing. The intention is to allow a narrow strip of land between two residential properties (that was previously used for access to a park) to be purchased by an adjoining residential land owner. The planning proposal also intends to reclassify this land from community to operational to facilitate its sale.**
- 3. rezone part (43sqm) of Kiora Lane, Miranda, from Zone 23 - Road to Zone 8 - Urban Centre to enable it to be incorporated into a Westfields redevelopment.**

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

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

Comment :

**The explanation of provisions is considered to be adequate.
Amendments to the SSLEP 2006 zoning map will be required.
Also there will need to be an amendment to Schedule 4 - Classification and Reclassification of Public Land.**

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

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

6.2 Reserving Land for Public Purposes

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

d) Which SEPPs have the RPA identified?

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

The three proposed rezonings are very minor in nature and have been appropriately justified by Sutherland Council.

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

**As the planning proposal proposes that land reserved for public recreational purposes be rezoned to residential, Direction 6.2 Reserving Land for Public Purposes applies. Under this Direction, a planning proposal must not alter open space zones without the approval of the Director General.
In the context of both the local and regional open space system, it is considered that the rezoning of a 3m wide accessway to the rear of a large park, with the intention of limiting opportunities for anti-social behaviour, is acceptable and it is recommended that the Director General approve this minor inconsistency with Direction 6.2.
The planning proposal is considered to be consistent with other s117 Directions.**

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

The three attached maps (Draft Sutherland Shire Local Environmental Plan 2006 Amendment No. 17 Sheets 1-3) which show the three parcels of land proposed to be rezoned are considered to be adequate.

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes to exhibit the planning proposal in local newspapers and on Council's website.**
As well, there will need to be a public hearing in relation to the reclassification.

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 :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Draft Sutherland Comprehensive LEP is currently at post s.62 stage. Council has not yet formally resolved to submit its draft plan to the Department.**

Assessment Criteria

Need for planning proposal :	It is considered that this planning proposal should proceed at this time. The rezoning of the waterfront property to correctly identify the mean high water mark will allow the property owner to proceed with a DA. The rezoning of the unused access way to the park will enable this land to be incorporated into one of the adjoining residential properties. The access way is no longer used for its original purpose and Council has advised that it occasionally used for anti-social activities. The rezoning of a small part of the laneway behind Westfield Miranda will facilitate the redevelopment of the Centre, which is about to undergo a major expansion. The proponent for this development advises that the rezoning of the 43sqm of laneway will provide for improved connectivity between the old and new parts of the Westfield complex.
Consistency with strategic planning framework :	Yes, with respect to the third part of the rezoning, Miranda is identified as a major centre in the draft South Subregional Strategy.
Environmental social economic impacts :	None of any significance.

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Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

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

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 :

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
Amt 17 Covering letter.pdf	Proposal Covering Letter	No
Amt 17 planning proposal.pdf	Proposal	No
Amt 17 Map 66-74 Karimbla Rd.pdf	Map	No
Amt 17 Map 349 Willarong Road.pdf	Map	No
Amt 17 Map Kiara Rd.pdf	Map	No

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
6.2 Reserving Land for Public Purposes

Additional Information : **It is recommended that the Planning Proposal proceeds, subject to the following conditions:**
1. The planning proposal is exhibited for 28 days
2. The planning proposal should be completed in 9 months

The RPA is advised that:

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1. The Director-General's approval to proceed under Direction 6.2 Reserving Land for Public Purposes is granted;
2. The Planning Proposal is considered to be consistent with other Section 117 Directions and Council does not need to address these Directions further
3. No consultation with Public Authorities is required
4. No further studies are required to be carried out

Supporting Reasons : The three proposed rezonings are minor in nature and are consistent with local planning policy.

Signature: _____

D. Pitney

Printed Name: _____

DAVID PITNEY

Date: _____

2/8/12