

Sutherland Shire Local Environmental Plan 2006 (SSLEP2006) (Draft Amendment No 19).

Proposal Title : **Sutherland Shire Local Environmental Plan 2006 (SSLEP2006) (Draft Amendment No 19).**

Proposal Summary : **This planning proposal seeks an amendment to Sutherland Shire Local Environmental Plan 2006 (SSLEP2006) to allow for a six (6) storey (approximately 25m) commercial building with a floor space ratio of 3.35:1 at 527-533 Kingsway, Miranda (Lot 1 DP 21256 and Lots 18 and 19 DP 8461).**

PP Number : **PP_2012_SUTHE_004_00** Dop File No : **12/20345**

Proposal Details

Date Planning Proposal Received : **14-Dec-2012** LGA covered : **Sutherland**

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

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

LEP Type : **Spot Rezoning**

Location Details

Street : **527-533 Kingsway**

Suburb : **Miranda** City : **Sydney** Postcode : **2228**

Land Parcel :

DoP Planning Officer Contact Details

Contact Name : **James Cooper**

Contact Number : **0292286207**

Contact Email : **james.cooper@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Jordan Windenstrom**

Contact Number : **0297100639**

Contact Email : **jwindenstrom@sscc.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :

Contact Number :

Contact Email :

Land Release Data

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

Regional / Sub Regional Strategy : **Southern Regional Strategy** Consistent with Strategy : **Yes**

MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 3	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 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 : **This planning proposal seeks an amendment to Sutherland Shire Local Environmental Plan 2006 (SSLEP2006) to allow for a six (6) storey (approximately 25m) commercial building with a floor space ratio of 3.35:1 at 527-533 Kingsway, Miranda (Lot 1 DP 21256 and Lots 18 and 19 DP 8461).**

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

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

Comment : **Amendment to the map series SSLEP2006 – Building Heights and Density for land at 527-533 Kingsway, Miranda to allow for an increased maximum building height of 25m.**

Amendment to the map series SSLEP2006 – Building Heights and Density for land at 527-533 Kingsway, Miranda to allow for an increased maximum FSR of 3.35:1.

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
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)
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 : **Yes**

d) Which SEPPs have the RPA identified?

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

RPA has not identified any SEPPs to be considered.

Suggested applicable SEPPs include:

SEPP No 1 - Development Standards

SEPP No 4 - Development Without Consent and Miscellaneous Exempt and Complying Development

SEPP No 6 - Number of Storeys in a Building

SEPP No 22 - Shops and Commercial Premises

SEPP No 55 - Remediation of Land

SEPP No 64 - Advertising and Signage

SEPP No 65 - Design Quality of residential Flat Development

SEPP (Affordable Rental Housing) 2009

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure)

The proposal is consistent with the identified SEPPs and the relevant section 117 Directions.

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

If No, explain :

RPA has not identified any SEPPs that relate to the Planning Proposal.

Mapping Provided - s55(2)(d)

Is mapping provided? **No**

Comment :

Planning Proposal suggests there is a map attached to the document, however there is no map attached. Council will be required to publicly exhibit the relevant maps as part of the exhibition package.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

Council proposes that the planning proposal be exhibited in accordance with any requirements as determined by the gateway process and the requirements of Section 29 of the Local Government Act, 1993 and Section 57 the Environmental Planning and Assessment Act, 1979.

Council proposes to give notice of the public exhibition of the planning proposal:

- In the local newspaper (The St George and Sutherland Shire Leader and the Liverpool City Champion);

- On Council's website;

- In 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 :

Proposal Assessment

Principal LEP:

Due Date : July 2013

Comments in relation
to Principal LEP :

The Department has received Council's s64 submission and is aiming to issue an exhibition certificate in early 2013.

Assessment Criteria

Need for planning
proposal :

The planning intent behind the planning proposal is to provide greater flexibility of the use of the land and in order to cater for significant commercial tenants. The planning proposal is considered to be the best means of achieving the stated objectives and intended outcomes. Within Miranda certain precincts have already been identified for seven (7) storey, 25m, development.

The site currently has an approval for three (3) commercial floors above two (2) basement levels of parking. The roof height of the approved commercial building for this site is approximately 15.5m above natural ground level. The proposal would increase the height of the building by approximately 7.5m, creating a new roof height of approximately 25m (plus lift over runs, roof top plant etc.).

Building heights in Miranda have been reviewed as part of the preparation of the Housing Strategy which is informing the content of Sutherland Shire's Standard Instrument Local Environmental Plan. The Housing Strategy proposes to increase the height of the subject site and surrounding sites to 25m. As such it is considered appropriate that the amendment to the building height proposed under this planning proposal is the best means of achieving the intended outcomes.

SSLEP2006 sets a floor space ratio (FSR) for the subject site at 2:1 pursuant to Clause 35(11) (b). The Planning Proposal seeks to increase the FSR of 3.35:1. Preliminary modelling indicates that an FSR of 3:1 is achievable and reasonable for this site. An FSR of 3.35:1 will need to ensure that adverse impacts are not created on neighbouring properties which can be considered in detail at the development application stage.

This planning proposal will facilitate more intense commercial use of the subject land. This is considered appropriate in a commercial centre well served by public transport.

Consistency with
strategic planning
framework :

The proposed amendments contained in the planning proposal are consistent with the objectives and actions within the Metropolitan Plan for Sydney 2036 – Centres and Corridors South.

The planning proposal is also consistent with the Sydney South Draft Sub-regional Strategy. The Sydney South Draft Sub-regional Strategy contains a specific outcome to resolve the centres within the Sutherland Shire and "promote Caringbah and Miranda as centres of excellence' in biomedical and bioengineering research and development". The proposed amendments under this planning proposal will assist in providing appropriately sized and designed floor plans to cater for the specific needs of medical specialists and assists in achieving this outcome.

The Sydney South Draft Sub-regional Strategy supports economic development in the south sub-region, specifically in Miranda. The location of the site in the retail precinct of Miranda suggests that it may contribute to the growth outcomes under the draft strategy.

Environmental social
economic impacts :

There are no likely environmental effects from the proposed amendments contained in this planning proposal. Specific environmental impacts or environmental concerns which may result from the increased development intensity as a result of the amendments to the building height and density on the subject site will be assessed and managed as part of the development assessment process.

The planning proposal is unlikely to raise any significant social and economic concerns. On the contrary it will facilitate economic growth through increased employment opportunities.

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 :

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
2012 12 13 Amended Planning Proposal - amended aPP 13 Dec 12.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**
- 5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)**
- 6.1 Approval and Referral Requirements**
- 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 the following conditions:**

1. The Planning proposal is exhibited for 14 days; and
2. The Planning Proposal is completed in 9 months' time.

The RPA should be advised that:

1. the Planning Proposal is considered to be consistent with all Section 117 Directions and Council does not need to address these directions further;
2. no consultation with public authorities is required;
3. the relevant maps need to be publicly exhibited as part of the exhibition package and clearly labelled; and
4. no further studies are required to be carried out.

Supporting Reasons : The planning proposal is considered to be the best means of achieving the stated objectives and intended outcomes in a transparent manner.

Signature:



Printed Name:

Danijela KARAC

Date:

11 January 2013