

**Amendment of zoning and development controls for 87 and 89 The Avenue, Hurstville
(Danebank School Campus)**

Proposal Title : Amendment of zoning and development controls for 87 and 89 The Avenue, Hurstville
(Danebank School Campus)

Proposal Summary : The planning proposal seeks to rezone and amend development controls relating to two lots within the Danebank School Campus (No.87 and No. 89 The Avenue, Hurstville) under Hurstville Local Environmental Plan 2012 (LEP 2012) by:

- rezoning the lots from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments); and
- removing development controls relating to maximum building height, maximum FSR and minimum lot size.

The proposal does not seek to delist or alter the heritage status of the two properties.

This amendment will align the two sites with the existing controls across the wider Danebank site.

PP Number : PP_2016_GRIVE_002_00 **Dop File No :** 16/09801

Proposal Details

Date Planning Proposal Received :	18-Jul-2016	LGA covered :	Georges River
Region :	Metro(CBD)	RPA :	Georges River Council
State Electorate :	KOGARAH	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	87 The Avenue		
Suburb :	Hurstville	City :	Sydney
Land Parcel :	Lot 97 DP 1595	Postcode :	2220
Street :	89 The Avenue		
Suburb :	Hurstville	City :	Sydney
Land Parcel :	Lot 96 DP 663361	Postcode :	2220

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DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings 0 (where relevant) :
Gross Floor Area : 0	No of Jobs Created : 0

The NSW Government **Yes**
Lobbyists Code of
Conduct has been
complied with :
If No, comment :

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

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

Supporting notes

Internal Supporting
Notes : **The planning proposal, submitted to the Department on 18 July 2016, proposes to:**
• **rezone the two lots from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments); and**
• **remove development controls relating to maximum building height, maximum FSR and minimum lot size.**

The planning proposal is recommended to proceed, as it:
• **unifies the zoning and development standards across the Danebank School Campus;**
• **ensures the zoning and development standards reflect the existing use of the land;**

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External Supporting
Notes :

- does not adversely affect the LGA's supply of residential accommodation;
- provides long-term certainty for the current and future needs of the LGA's educational facilities;
- is consistent with State Environmental Planning Policy (Infrastructure) 2007 and Planning Circular, Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007, (PS 09-018); and
- does not adversely affect the heritage listing of the two sites.

Council resolved on 4 July 2016 to forward the planning proposal to the Department.

The proposal will align controls across the Danebank School Campus, as well as the majority of other SP2 Infrastructure zoned sites in the Hurstville LGA.

87 The Avenue, Hurstville is a detached single storey face brick federation cottage with local heritage significance for its aesthetic values and its contribution to the local streetscape character.

89 The Avenue, Hurstville is a detached single storey dwelling with a tiled hipped roof. The site is of local heritage importance as it demonstrates the rapid development and second phase subdivision of the area.

The proposal does not seek to delist or alter the heritage status of the two properties.

Council wishes to exercise its plan making delegation in relation to this proposal.

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 rezone two lots within the Danebank School campus from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment) and remove the principal development standards (minimum lot size, maximum building height and maximum floor space ratio), consistent with the zoning and planning controls for the majority of the Danebank School Campus. This will reflect the use of the land as an "educational establishment".

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

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

Comment : The following provisions are suggested:

- amend the Land Zoning Map for the subject sites from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment);
- amend the Lot Size Map to remove the minimal lot size applicable to the subject land;
- amend the Height of Buildings Map to remove the maximum building height applicable to the subject land; and
- amend the Floor Space Ratio Map to remove the maximum floor space ratio applicable to the subject land.

The proposal does not seek to delist or alter the heritage status of the two properties.

The explanation of the proposal's provisions is clear.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

3.1 Residential Zones

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

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7.1 Implementation of A Plan for Growing Sydney

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

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 :

A PLAN FOR GROWING SYDNEY

The proposal is considered to be generally consistent with goals and guiding principles relating to the growth and development of strategic centres outlined in the A Plan for Growing Sydney.

GOAL 1 - A COMPETITIVE ECONOMY WITH WORLD-CLASS SERVICES AND TRANSPORT

The direction of this goal is to support commerce, business and investment within Sydney, which will be achieved through the delivery of infrastructure, services within strategic centres.

Direction 1.10 aims to expand school facilities in urban growth areas, whilst delivering planning controls that can accommodate appropriate and timely developments at private schools. The planning proposal is consistent with this action as it will help to facilitate the delivery of future private school facilities and align controls, allowing assessment under the SEPP.

GOAL 2 - A CITY OF HOUSING CHOICE, WITH HOMES THAT MEET OUR NEEDS AND LIFESTYLES

The purpose of this goal is to focus on providing more housing within strategic centres and well serviced locations.

The planning proposal is considered inconsistent with this goal as the rezoning would result in a reduction of residential land in a strategic centre. In particular, the planning proposal is inconsistent with directions 2.1 Accelerate Housing Supply Across Sydney and 2.2 Accelerate Urban Renewal Across Sydney – Providing Homes Closer to Jobs as the proposal will reduce the amount of residential zoned land within a strategic centre.

However, it is considered these inconsistencies are minor in nature and have been adequately been justified within the proposal. The land is currently being used for educational purposes and will not directly result in the loss of residential dwellings.

GOAL 3 – A GREAT PLACE TO LIVE WITH COMMUNITIES THAT ARE STRONG, HEALTHY AND WELL CONNECTED

The direction of this goal is to revitalise existing suburbs through a network of multipurpose green open and green spaces whilst promoting and protecting Sydney's heritage, arts and culture.

The planning proposal is consistent with this goal as the proposal will protect the heritage status of the two sites, whilst allowing the sites to continue to operate as education establishments.

STATE ENVIRONMENTAL PLANNING POLICES

The planning proposals is consistent will all relevant SEPPs.

It is noted SEPP (Infrastructure) 2007 is relevant to this proposal as it relates to the delivery of infrastructure, including educational establishments, across the State. The proposal is considered to be consistent with the relevant educational establishment provisions. Also a Planning Circular, Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007, (PS 09-018), was issued regarding the assessment of schools under the Infrastructure SEPP. The proposal is consistent with this circular.

SECTION 117 DIRECTIONS

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2.3 Heritage Conservation

The objectives of this direction are to conserve items, areas, objects and places of environmental heritage and indigenous heritage significance. The proposal is considered to be consistent with this direction as the proposal does not seek to delist or alter the heritage status of the two properties.

3.1 Residential Zones

The objectives of this direction are to encourage a variety of housing types, make efficient use of existing infrastructure, and minimise the impact of residential development on the environment and resource lands. The proposal is considered to be inconsistent with this direction because it reduces the total amount of residentially zoned land available within the LGA. The planning proposals inconsistency with this direction has been justified because the reduction is only minor (2 lots) and reflects the existing use of land.

7.1 Implementation of A Plan for Growing Sydney

Minor inconsistencies with this direction have been justified, as explained in the section of this report above dealing with that document.

HURSTVILLE COMMUNITY STRATEGIC PLAN 2025

The planning proposal is considered to be consistent with strategic plan as it:

- provides economic prosperity to the LGA and providing quality school facilities for the well-being and benefit of current and future residents; and
- ensures sufficient educational establishments are provided for the existing and future residents.

HERITAGE

Both sites are locally listed heritage items. The proposal does not seek to delist or alter the heritage status of the two properties. There will be no impact upon the heritage items as a consequence of the planning proposal.

PN 10-001 ZONING FOR INFRASTRUCTURE IN LEPS

The proposal is considered to be inconsistent with this practice note as the proposal will result in more restrictive zoning being applied to the land. The inconsistencies are considered minor and justifiable as the planning proposal:

- is the result of a request from the land owner;
- reflects the existing use of land as an educational establishment;
- provides a consistent zoning across the school campus;
- provides flexibility to the school by removing the planning controls; and
- provides certainty long-term certainty for the future of the Danebank School.

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

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The mapping provided clearly illustrates existing planning controls as well as requested development controls.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Should the planning proposal receive a Gateway determination, the proposal recommends a 28 day public exhibition period, which is supported. Notification of the public exhibition will be through:

- Newspaper advertisement in the St George and Sutherland Shire Leader
- Exhibition notice on the Council's website
- Notices in Council offices and libraries
- Letters to State and Commonwealth Government agencies

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• Letters to adjoining landowners

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 is considered adequate and sufficient detail has been provided.**

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning
proposal :

The planning proposal, which does not involve a specific strategic study or report, comes from a decision made by Sydney Anglican Schools Corporation and Danebank School, seeking consistency in regards to zoning throughout their campus.

Council prepared this planning proposal in response to a Council meeting resolution on 4 July 2016. A planning proposal is necessary to align the development controls of the subject site to be consistent with those applicable to the rest of the Danebank School Campus. These controls are consistent with those found in most SP2 Infrastructure zoned sites across the LGA.

Consistency with
strategic planning
framework :

The planning proposal states it is consistent with key policies. While the Department notes some minor inconsistencies between the proposed amendments and the directions of A Plan for Growing Sydney (and associated Section 117 Direction 7.1) and Section 117 Direction 3.1 Residential Zones, these are considered justifiable.

Environmental social
economic impacts :

It is agreed with Council there are no known critical habitats or threatened species, populations or ecological communities or their habitats which will be affected by the proposal. Other environmental effects (bushfires, land slips and flooding) are unlikely in Hurstville LGA and the proposal will not impact or enhance environmental risks.

There will be no adverse social and economic effects as a consequence of the planning proposal. Any future school facilities would be a benefit to both Hurstville and the wider community.

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Assessment Process

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

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

Public Authority : **Department of Education and Communities**
Consultation - 56(2)(d) : **Office of Environment and Heritage**

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
Cover Letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **2.3 Heritage Conservation**
3.1 Residential Zones
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended the planning proposal proceeds subject to the following:**
1. Prior to public exhibition, the planning proposal is updated to include a plain English explanation of the intended effect of the proposed provisions.
2. Consultation is required with:
• Department of Education; and
• Office of Environment and Heritage.
3. The planning proposal is to be publicly exhibited for a minimum of 28 days.

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4. A public hearing is not required to be held into the matter.

The planning proposal is to be completed within 6 months of the Gateway Determination.

Supporting Reasons :

The planning proposal is recommended to proceed, as it:

- unifies the zoning and development standards across the Danebank School Campus;
- ensures the zoning and development standards reflect the existing use of the land;
- does not adversely affect the LGA's supply of residential accommodation;
- provides long-term certainty for the current and future needs of the LGA's educational facilities;
- is consistent with State Environmental Planning Policy (Infrastructure) 2007 and Planning Circular, Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007, (PS 09-018); and
- does not adversely affect the heritage listing of the two sites.

Signature:



Printed Name:

MARTIN COOPER

Date:

19/08/2016