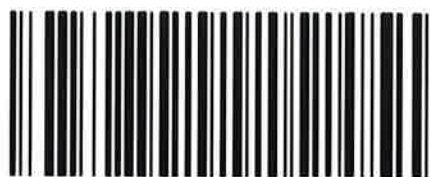


12 July 2016

Ms Karen Armstrong
Regional Director (Sydney East)
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001



PCU066203

Dear Ms Armstrong,

Planning Proposal – Danebank School (87 and 89 The Avenue, Hurstville)

I am writing to advise you that Council, at its meeting on 4 July 2016, resolved to support a second Planning Proposal to rezone land and remove the height and FSR restrictions within the Danebank School site in Hurstville. It was resolved:

THAT Council support the forwarding of the Planning Proposal (PP2016/0001) to the Department of Planning and Environment to request a Gateway Approval to rezone land within the Danebank School Campus (No. 87 and No. 89 The Avenue, Hurstville) to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum floor space ratio controls consistent with SP2 Infrastructure zoned land.

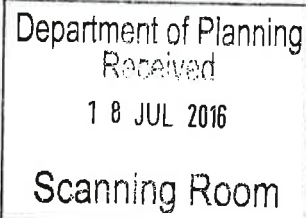
A Planning Proposal is enclosed together with the following relevant supporting documents: Planning Proposal Information Checklist; Council Report and Minutes (4 July 2016); and Applicant's Planning Proposal Form.

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979 (the Act)*, and the Department's guidelines titled, "A guide to preparing local environmental plans" and "A guide to preparing planning proposals".

Council requests a Gateway Determination in accordance with Section 56 of the Act. Council wishes to exercise its Plan making delegation in relation to the Planning Proposal. Please do not hesitate to contact Kerry Longford, Consultant Planner on 9330 6255 or myself on 9330 6257 if further information is required.

Yours sincerely

Carina Gregory
Manager Strategic Planning
Encls.



INFORMATION CHECKLIST – PP2016/0001 – 87 and 89 The Avenue, Hurstville (Danebank School)

> STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

(refer attached Planning Proposal Report)

> STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Urban Design Considerations		
• Demonstrated consistency with relevant Regional Strategy	☐	☒	• Existing site plan (buildings vegetation, roads, etc)	☒	☐
• Demonstrated consistency with relevant sub-regional strategy	☒	☐	• Building mass/block diagram study (changes in building height and FSR)	☐	☒
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	☐	☒	• Lighting impact	☐	☒
• Demonstrated consistency with Threshold Sustainability Criteria	☐	☒	• Development yield analysis (potential yield of lots, houses, employment generation)	☐	☒
Site Description/Context			Economic Considerations		
• Aerial photographs	☒	☐	• Economic impact assessment	☒	☐
• Site photos/photomontage	☐	☒	• Retail centres hierarchy	☐	☒
Traffic and Transport Considerations			• Employment land	☐	☒
• Local traffic and transport	☐	☒	Social and Cultural Considerations		
• TMAP	☐	☒	• Heritage impact	☒	☐
• Public transport	☒	☐	• Aboriginal archaeology	☐	☒
• Cycle and pedestrian movement	☒	☐	• Open space management	☐	☒
Environmental Considerations			• European archaeology	☐	☒
• Bushfire hazard	☐	☒	• Social and cultural impacts	☒	☐
• Acid Sulphate Soil	☐	☒	• Stakeholder engagement	☒	☐
• Noise impact	☐	☒	Infrastructure Considerations		
• Flora and/or fauna	☒	☐	• Infrastructure servicing and potential funding arrangements	☒	☐
• Soil stability, erosion, sediment, landslip assessment, and subsidence	☐	☒	Miscellaneous/Additional Considerations		
• Water quality	☐	☒	ADDITIONAL STUDIES: N/A		
• Stormwater management	☐	☒			
• Flooding	☐	☒			
• Land/site contamination (SEPP55)	☐	☒			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	☐	☒			
• Sea level rise	☐	☒			



PP2016/0001

Planning Proposal

(Amendments to Hurstville LEP 2012 or Hurstville LEP 1994)

Environmental Planning and Assessment Act 1979 Section 55

Planning Proposals must be lodged before 4.00pm each day



Property Details

(See General Note 1)

Address and Parcel details

Unit No.: Street No.: 87+89 Street: The Avenue
 Suburb: HURSTVILLE Post Code: 2220
 Lot: 97 + 96 Section: Plan: DP 1595 + 663361
 Vol: Folio: Nearest Cross Street:



Applicant

Family or Business Name

Address

Contact numbers

Email address

Contact for companies

Signature of Applicant

(Refer General Note 2 & 3)

Company/Surname: SYDNEY ANGLICAN SCHOOLS First Name: CORPORATION
 No. LV11, 420 Street: Forest Road
 Suburb: Hurstville Post Code: 2220
 Phone: 8674000 Fax: 95702220 Mobile: 048820587
 blitchfield @ sasc.nsw.edu.au
 Name: J Chalmers ABN No.: Position: COO (Power of Attorney 4613-419)
 Signature: [Signature] Date: 3/3/16

The applicant must sign and where the applicant is a company, the company seal must be affixed

I consent to Council copying this planning proposal, and any supporting material, for the purpose of obtaining public comment and/or making the information available under the provisions of Section 6 of the Government Information (Public Access) Act 2009 and Schedule 1 of the Government Information (Public Access) Regulation 2009 which includes publishing this information electronically on Council's web-site.



Planning Proposal

Proposed amendment to LEP (tick all that apply)

- ☒ Zone
☒ Floor Space Ratio
☒ Height of Building
☐ Heritage
☐ Additional Permitted Uses
☐ Other/Clauses



Type of Planning Proposal

- ☐ **Minor:** Minor amendments to an LEP for the purposes of adding or removing a heritage item, changing the wording of a clause, adding or removing a use to a zoning table that does not require complex assessment or changing the development standards that apply to land.
- ☒ **Major:** Involving complex land use & zoning issues or changing the development standards that apply to land (eg. Height of Buildings or Floor Space Ratio).



Description of Planning Proposal

Regularisation of zoning of School-owned land to SP2 Infrastructure (Educational Establishment) consistent with approved uses + zoning of the School campus



Hurstville City Council

☒	Have you had a pre-application meeting with Council's Strategic Planning staff?	☐ No ☒ Yes If Yes, with whom? <u>GENERAL DISCUSSIONS</u> Date: <u>6.8.15</u> <u>NERIDA STORES</u>
☒	Planning Proposal Checklist requirements (see General Note 11)	☒ I have supplied the documentation and the correct number of copies of the documents required by the Planning Proposal Checklist (see page 4 of this form)
☒	Digital Lodgement Requirements CD-ROM or USB Applications without a correctly formatted digital data disc will not be accepted.	☐ The CD-ROM or USB contains PDF files which are compliant with the requirements outlined on the <i>Fact Sheet - Electronic lodgement requirements</i> published on Council's website. ☐ The CD-ROM or USB contains all the documents required by the planning proposal Checklist. ☐ Photos or photomontages are to be provided as a jpeg file. ☐ I verify that the content of the disk or USB exactly matches the hard copies lodged with this application.
☒	Probity	Are you a staff member, councillor, or contractor of Hurstville City Council or related to someone who is a staff member, councillor, or contractor of Hurstville City Council? ☒ No ☐ Yes If Yes (if yes, state relationship)
☒	Political donations and gifts	A Political Donations and Gifts Disclosure Statement must be completed and submitted with the Planning Proposal. For more details refer to the Development - Political Donations and Gifts page on our website. Have you attached a statement? ☐ Yes ☒ No
☒	Consent of ALL land owner(s) as shown on Council's Records. All names and signatures must be displayed where applicable. Contact Numbers Email Contact for companies As the owner(s) of the property, I/we consent to this application. Two directors signatures and capacity to be shown	Company / Surname: <u>Sydney Anglican Schools Corporation</u> First Name: _____ Street: <u>LV11, 420 Forest Rd</u> Suburb: <u>Hurstville NSW</u> Post Code: <u>2220</u> Phone: <u>85674000</u> Fax: <u>95702220</u> Mobile: <u>0448820587</u> Email: <u>blitchfield@sasc.nsw.edu.au</u> Name: <u>J Chalmers</u> ABN: _____ Position: <u>COO (Power of Attorney)</u> Signature: <u>[Signature]</u> Date: <u>3/3/16</u> Signature: _____ Date: _____ The owner/s must sign and where the owner is a company, the company seal must be affixed.
☐	Fees	Fees payable are shown in the Schedule of Fees and Charges available on our website. Fees are split into two (2) stages and vary based on whether the Planning Proposal is considered to be Minor or Major in nature (as defined on page 1 of this form). Note: At Stage 1 there is no refund of fees if the Planning Proposal is unsuccessful. Payments can be by cash, cheque, EFTPOS and some credit cards (subject to a fee). Do not post cash. It is best to confirm fees before writing cheques. Dishonoured cheques will result in an application being cancelled.



Hurstville City Council

Our details

**How to contact us:**

Ph: 9330 6222

Fax: 9330 6223

hccmail@hurstville.nsw.gov.auwww.hurstville.nsw.gov.au**Address the application to:**The General Manager
Hurstville City Council**Mail:**

PO Box 205, HURSTVILLE BC 1481

Courier or in person:Civic Centre
MacMahon Street, Hurstville

Advice - We strongly recommend that you consult and meet with Council's Strategic Planning staff before submitting an application.

Acknowledgement of planning proposal applications will be by letter and a receipt specifying the amount paid.

ABN No.: 24782671133

Applicants declaration



I declare that all the information given in this request is true and correct. I also understand that, if incomplete, the request may be delayed or rejected. I understand payment of fees may not result in the desired outcome. I understand that timeframes cannot be guaranteed and may vary.

Signature:  Date: 3/3/16



Hurstville City Council

Planning Proposal Checklist

INFORMATION TO BE SUBMITTED

(documentation to be checked by a Strategic Planning Officer)

	Applicant to tick	Office use only (strategic planner)
1. A completed application form with owners consent	☒	☐
2. Payment required with lodgement	☒	☐
PROVIDE 3 PAPER COPIES and 1 DIGITAL COPY of the following information:		
3. Information required in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and Guide to Preparing Planning Proposals prepared by the NSW Department of Planning and Infrastructure: www.planning.nsw.gov.au	☒	☐
4. Description of the subject land and the locality	☒	☐
5. Statement and justification of objectives & intended outcomes including the process of how these are to be implemented	☒	☐
6. A Plan of the site drawn to scale indicating physical features such as trees, topography, existing buildings etc.	☒	☐
7. Site analysis of property and surrounding environment identifying any relevant significant issues	☒	☐
8. Details of the current use of the property and surrounding properties and the potential impact of the proposal on the surrounding area (including issues such as traffic and parking, noise, privacy, infrastructure considerations, if relevant, for servicing the site, site contamination, etc.)	☒	☐
N/A. 9. Where a rezoning from an industrial zone is proposed, an assessment of the proposed rezoning on the supply and demand of employment land in the South Subregion of Sydney and feasibility assessment to redevelop the land to support new forms of industrial land uses	☐	☐
10. Relevant plans (e.g. proposed height or FSR changes, environmental constraints, heritage or flood prone areas)	☒	☐
11. Photographs of the site and surrounding neighbourhood	☒	☐
12. Explanation of any intended activities for the site if it was to be rezoned (concept plans for future development should also be included)	☒	☐
13. Details of the substantial public benefit that would result from the proposed rezoning (an example of this might include provision of public open space).	☒	☐
14. Relevant information required to assess the environmental, economic and social impacts of the proposal.	☒	☐
15. Consideration of the relevant local planning controls including the Local Environmental Plan and Development Control Plan and State Environmental Planning Policies and Ministerial S117 Directions	☒	☐

HS



Hurstville City Council

General notes

1. **A description of the land** which the planning proposal applies to can also be given in the form of a map which contains details of the lot number/s, Deposited Plan number/s, volume/folio if more than one piece of land.
 2. **Crown land** - within the meaning of the Crown Lands Act 1989, the owner's consent must be signed by an officer of the Department of Planning and Infrastructure, authorised for these purposes by the Governor-in-Council, from time to time.
 3. **Inaccurate, false or misleading information** - it is an offence to provide false/misleading information, signing the application is a declaration that all information is true and correct. Inaccurate/unclear/incomplete applications will not be accepted.
 4. **Fees** - failure to submit the correct fees will result in refusal to accept/delays/refusal of your application. A copy of our Schedule of Fees and Charges is on our website www.hurstville.nsw.gov.au on the Forms/Fees/Charges page under the heading Strategic Planning.
 5. **Help** - if you are not sure about completing any part of this application form call Customer Service on 9330 6222 - for detailed queries ask to speak to one of the Strategic Planning staff.
 6. **Legislation** - a copy of any of the legislation referred to in this form is available from the website www.legislation.nsw.gov.au.
 7. **Privacy** - the details provided in this form may contain information that is personal information, such as information that identifies you etc., for the purposes of the Privacy and Personal Information Protection Act. The purpose of collecting this information is to enable the Council to consider matters under related legislation, issue related documentation where required and other associated matters as provided by law and will be utilised by Council officers in assessing the proposal and other associated activities. The information may also be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard. The submission of personal information in this case is required by law and if not provided (wholly or in part) may affect or prevent consideration of the matter by Council. The information will ultimately be stored in Council's records system.
 8. A Company Search fee of \$20 will be required if the applicant and/or owner is a Company.
 9. **Government Information (Public Access) Act 2009** – Council will publish the details contained in this Application and supporting documentation electronically on its website in accordance with Section 6 of the Government Information (Public Access) Act 2009 and in accordance with Schedule 1, Government Information (Public Access) Regulation 2009.
 10. **Planning Proposal Definition:** A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. It will be used and read by a wide audience including those who are responsible for deciding whether the proposal should proceed, as well as the general community. The preparation of a planning proposal is the first step in preparing an LEP.
 11. Planning Proposals are to be prepared in accordance with the Department of Planning and Infrastructure's "Guide to Preparing Planning Proposals" which can be accessed on the Department of Planning and Infrastructure's website: <http://www.planning.nsw.gov.au/>
-

Planning Proposal

Danebank School Campus (No.87 and 89 The Avenue) rezoning of two lots from R2 Low Density Residential Zone to SP2 Infrastructure (Educational Establishment) and removal of maximum building height, maximum FSR and minimum subdivision development standards.

(PP2016/0001)

July 2016

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Attachments

Attachment 1:	Aerial of Subject Land and Site identification map
Attachment 2:	Draft Hurstville LEP 2012 Maps
	- Land Zoning Map Sheet LZN_008
	- Lot Size Map Sheet LSZ_008
	- Height of Buildings Map Sheet HOB_ 008A
	- Floor Space Ratio Map Sheet FSR_008A.
Attachment 3:	Council Report and Resolution (4 July 2016)
Attachment 4:	SEPPs & S117 Directions Compliance Tables

1. Introduction

This Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and Regulation 2000 and the following advisory documents prepared by the Department of Planning and Environment:

- “A guide to preparing planning proposals” (October 2012); and
- “A guide to preparing local environmental plans” (April 2013).

Sydney Anglican Schools Corporation has requested that two (2) lots within the Danebank School Campus currently zoned R2 Low Density Residential be rezoned to SP2 Infrastructure and that the minimum lot size, maximum building height and maximum FSR development standards are removed.

The majority of land within the Danebank School Campus is zoned SP2 Infrastructure (Educational Establishments) with no minimum lot size, maximum building height or maximum FSR; the remaining lots are zoned R2 Low Density Residential (consistent with the surrounding residential area). A Gateway Determination was provided for a Planning Proposal for two (2) other lots within the Danebank School Site (No.80 Park Road and No.83 The Avenue, Hurstville); this Planning Proposal was placed on public exhibition from 8 June to 8 July 2016.

State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of “educational establishments” with consent in “prescribed zones”. The R2 Low Density Residential is a “prescribed zone” under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

Subject Site

The Subject Site includes two (2) lots with a combined area of approximately 1,302m² which are known as No.87 and 89 The Avenue, Hurstville and comprise:

- Lot 97 in DP 1595 (No.87 The Avenue) is a rectangular shaped lot which measures approximately 820m² and has a frontage of approximately 17.5m to The Avenue and a depth of 47m; and
- Lot 96 in DP 663361 (No.89 The Avenue) is a rectangular shaped lot which measures approximately 482m² and has a frontage of approximately 15.5m to The Avenue and a depth of 31m.

No. 87 The Avenue also includes approximately 2m wide parcel of land (Lot 1 DP166769), adjacent to No. 99 The Avenue, which is not part of the Planning Proposal. This lot is currently zoned SP2 Infrastructure and has no maximum building height, maximum FSR or minimum lot size consistent with the majority of the Danebank School site.

The Subject Site is shown in Figure 1 below and in the aerial photograph in Attachment 1.



Figure 1: Site (bounded in red) and Surrounding Land (Source: SixMaps, NSW Government)

The existing buildings on the Subject Site are described below:

- No. 87 The Avenue "Oikos" is a detached single storey face brick Federation cottage constructed in 1910-11. The Statement of Significance on the NSW Heritage website states: "The house formerly known as "Oikos" is of local significance for its historic, aesthetic and representative values as a Federation style cottage reflecting the development of the area following subdivision of the Hurstville Park Estate in 1885. It has aesthetic values and contribution to the streetscape character of The Avenue due to its distinctive Federation style cottage and architectural detailing including an asymmetrical facade and form, featuring a half hipped slate roof and gabled roofs facing the street at each side with terracotta ridges, finials and apex decoration, shingles to gable ends and tall brick chimneys with terracotta pots. A verandah supported by timber piers and a brick base flanks the front façade on the side";
- No. 89 The Avenue "Sylvan" is a detached single storey dwelling with a tiled hipped roof constructed in 1936. The Statement of Significance on the NSW Heritage website states: "Sylvan at 89 The Avenue, Hurstville is of local significance for its ability in demonstrating evidence of rapid development and second phase of subdivision in the area. 'Sylvan is a representative of the Inter-War period development in the area and together with the other historic buildings along The Avenue demonstrates the phases of development in Hurstville dating back from the Victorian and Federation periods to the Inter-War period. It contributes to the streetscape quality of The Avenue".

Site History

The Planning Proposal request submitted by the Sydney Anglican Schools Corporation provides a brief history of the Danebank School site, noting that the "Danebank School was established in 1933 and has accommodated further growth through progressive, staged expansion of the school campus since that time". Details of recent development consents (since 1993) have been listed and include construction of school library, staff rooms, class rooms, swimming pool complex and gymnasium, school hall and increase in staff and student numbers. The master plan for the staged redevelopment of the Danebank School was also provided and shows the Danebank School's proposed staging plan.

The zoning of the Danebank School site in the Hurstville LEP 2012 (SP2 Infrastructure (Educational Establishments)) was a direct transfer from the previous Hurstville LEP 1994 zoning (Zone 5(a) General Special Uses (School)). Those sites within the Danebank School Campus zoned 2 (Residential) under the Hurstville LEP 1994 were transferred to the equivalent R2 Low Density Residential Zone. It is noted that the State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of educational establishments with consent in "prescribed zones". The R2 Low Density Residential is a "prescribed zone" under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

Surrounding Land

The Subject Site is on the eastern boundary of the Danebank School campus as shown in Figure 1 above. The school contains both two (2) and three (3) storey buildings, with an internal open space area within the central spine of the school campus. As noted in the Planning Proposal request *"the Junior and Senior School buildings are the dominant land use within the Park Road and The Avenue streetscape with 2-3 storey administration and classroom buildings extending along Park Road, with a Design and Technology building called "The Terraces", a Drama and Performing Arts Centre and Gymnasium, ancillary school buildings and school bus parking area fronting The Avenue. The Danebank College Aquatic Centre, comprising an indoor swimming pool, multi-purpose sports court and carpark under also fronts The Avenue"*.

The Site sits within the Danebank School Campus, with school uses located immediately to the north, west and south. A summary of the land surrounding the boundaries of the Danebank School campus is provided below:

- North - single and two (2) storey dwelling houses
- South - residential land use with No. 81 The Avenue and No. 78 Park Road including single and two (2) storey dwellings. Further south are single detached dwellings, with a number of multi storey residential flat buildings further south towards Queens Road
- East (across The Avenue) - predominantly single dwelling houses of one (1) and two (2) storeys.

Existing Planning Controls

The following provisions of the Hurstville LEP 2012 are relevant to the Planning Proposal:

Land Zoning: the Site is zoned R2 Low Density Residential as shown in Figure 2 below.

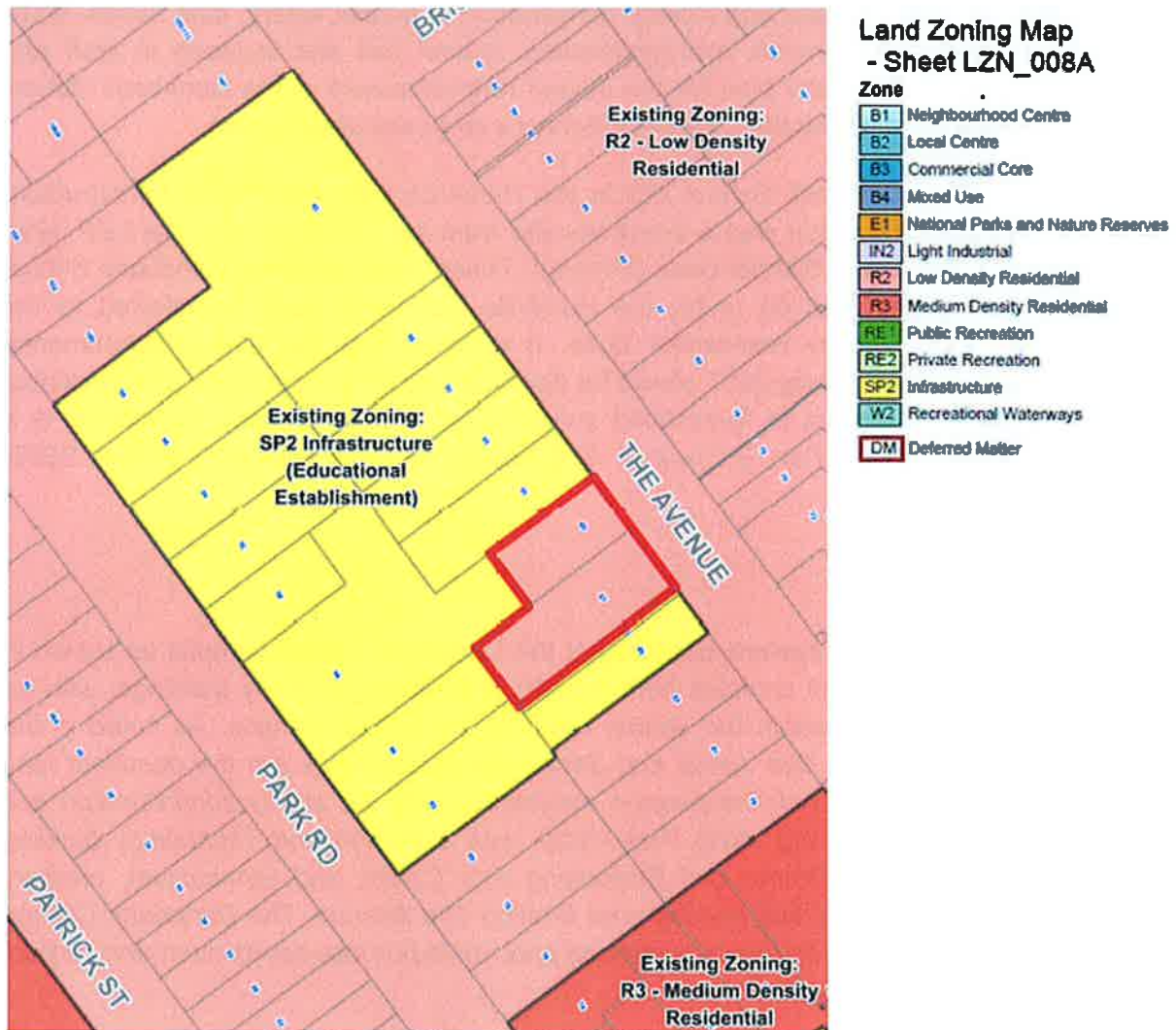


Figure 2: Land Zoning Map Extract (Hurstville LEP 2012)

Minimum Lot Size: the Site has a minimum subdivision lot size of 450m². There is no minimum lot size specified for the SP2 Infrastructure (Educational Establishment) zoned land as shown in Figure 3 below.



Figure 3: Lot Size Map Extract (Hurstville LEP 2012)

Height of Buildings: the Subject Site has a maximum building height of 9m. There is no maximum building height specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment) as shown in Figure 4 below.



Figure 4: Height of Buildings Map Extract (Hurstville LEP 2012)

Floor Space Ratio: the Subject Site has a maximum floor space ratio of 0.6:1. There is no maximum floor space ratio specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment) as shown in Figure 5 below.



Figure 5: Floor Space Ratio Map Extract (Hurstville LEP 2012)

Heritage: the two (2) lots within the Subject Site are identified as items of environmental heritage in Schedule 5 of the Hurstville LEP 2012:

- Item 51 – “Oikos” Federation House, No. 87 The Avenue (Lot 97 DP1595 and Lot 1 DP166769); and
- Item 52 – “Sylvan”, No. 89 The Avenue (Lot 96 DP663361).

Item 51 also includes Lot 1 DP166769 which is a small parcel of land adjacent to No. 87 The Avenue which is zoned SP2 and does not form part of the Planning Proposal. A number of heritage items are also located in close proximity as shown in the Heritage Map extract below.



Figure 6: Heritage Map Extract (Hurstville LEP 2012)

2. The Planning Proposal

The Planning Proposal has been assessed under the relevant sections of the Environmental Planning and Assessment Act 1979 and Regulation 2000 and the following advisory documents prepared by the Department of Planning and Environment:

- “A guide to preparing planning proposals” (October 2012); and
- “A guide to preparing local environmental plans” (April 2013).

The assessment includes a review of the strategic planning framework and a site-specific assessment as listed below:

- Hurstville Local Environmental Plan 2012
- State Environmental Planning Policies
- Ministerial Section 117 Directions
- Environmental, Social and Economic Impacts
- Services and Infrastructure.

Section 55 of the Environmental Planning & Assessment Act, 1979 outlines that a planning proposal must explain the intended effect and the justification for making the proposed instrument and must include the following components:

- A statement of the objectives and intended outcomes of the proposed instrument (Part 1)
- An explanation of the provisions that are to be included in the proposed instrument (Part 2)
- The justification for those objectives, outcomes and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117) (Part 3)
- Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies (Part 4)
- Details of community consultation that is to be undertaken before consideration is given to the making of the proposed instrument (Part 5).

Parts 1 – 5 below address the information requirements for Planning Proposals.

Part 1: Objectives or Intended Outcomes

The objective of the Planning Proposal is to rezone two (2) 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 and which reflects the use of the land as an “educational establishment”.

The intended outcomes of the Planning Proposal are to:

- Provide a uniform SP2 Infrastructure (Educational Establishment) zoning for the majority of the Danebank School campus
- Ensure that the land use zone reflects the existing use of the land as an “educational establishment”
- Create certainty in relation to the retention of community (educational) assets that will support the social, community and educational needs of the community
- Allow for development of educational establishment buildings consistent with their use and the existing scale of development within the Danebank School Campus
- Ensure that sufficient zoned land for educational establishments is provided within the Hurstville LGA and is available for existing and future residents.

Part 2: Explanation of the Provisions

The proposed intended outcome (refer Part 1) will be achieved by amending the Hurstville LEP 2012 as follows:

- Amending the Land Zoning Map (Sheet LNZ_008) on the Subject Site in accordance with the proposed zoning map shown in Appendix 2 to change the zoning of the site from R2 Low Density Residential Zone to SP2 Educational Establishments
- Amending the Lot Size Map (Sheet LSZ_008)) to remove the minimum lot size applicable to the Subject Site in accordance with the proposed Lot Size Map shown in Appendix 2
- Amending the Height of Buildings Map (Sheet HOB_008) to remove the maximum building height applicable to the Subject Site in accordance with the proposed Height of Buildings Map shown in Appendix 2
- Amending the Floor Space Ratio Map (Sheet FSR_008) to remove the maximum floor space ratio applicable to the Subject Site in accordance with the proposed Floor Space Ratio Map shown in Appendix 2.

It is noted that under the current SP2 Infrastructure zoning for the Danebank School campus no maximum floor space ratio, maximum building height or minimum lot size restrictions apply; generally consistent with SP2 Infrastructure zoned land in the Hurstville LGA.

Part 3: Justification

Section A – Need for the planning proposal

Is the planning proposal a result of any strategic study or report?

No. There are no specific strategic studies or reports relating to the Planning Proposal. The Planning Proposal applies a land use zone consistent with the majority of the land within the Danebank School campus which is zoned SP2 Infrastructure (Educational Establishment).

The Planning Proposal request is the result of a decision by the Sydney Anglican Schools Corporation and Danebank School.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of educational establishments with consent in “prescribed zones”. The R2 Low Density Residential (which the Subject site is currently zoned) is a “prescribed zone” under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007. The Planning Proposal removes the maximum building height and maximum FSR development standards which will allow the educational establishment to better utilise the existing land area and provide for improved educational facilities.

The Planning Proposal is the best means of achieving the objectives and intended outcomes by introducing a SP2 land use zoning on the subject site, consistent with the majority of the land within the Danebank School campus, and removing the development standards which relate to the R2 Low Density Residential zone.

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft South Subregional Strategy)?

The Planning Proposal is not inconsistent with relevant strategies including A Plan for Growing Sydney which sets the strategic direction for Sydney towards 2031 and the draft South Subregional Strategy. The proposed changes to the two (2) lots within the Danebank School campus will have no impact on the objectives and actions of the Plan and draft Strategy and will assist in providing better educational infrastructure for the locality by facilitating consolidation of zoning controls applicable to an existing educational establishment and allowing for better and more efficient use of the existing site area.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Hurstville LEP 2012 reflects Council's strategic direction for the Hurstville LGA; the Planning Proposal satisfies the following LEP objectives:

- *to encourage and co-ordinate the orderly and economic use and development of land that is compatible with local amenity,*
- *to ensure development is carried out in such a way as to promote the efficient and equitable provision of public services, infrastructure and community facilities,*
- *to concentrate intensive land uses and trip-generating activities in locations most accessible to transport and centres,*

The Planning Proposal will provide for a consistent SP2 Infrastructure (Educational Establishments) zoning of the Danebank School campus.

As detailed in the Planning Proposal request, the zoning change is consistent with the Hurstville Community Strategic Plan 2025 Social and Cultural Development and Economic Prosperity Pillars, in that it will:

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

Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The full assessment of the Planning Proposal against all the State Environmental Planning Policies ("SEPPs") is provided in Appendix 3 and within the Applicant's submission (Appendix 1).

The Planning Proposal is not inconsistent with the SEPP (Infrastructure) 2007 provisions. The SEPP will apply to all future development on the SP2 Infrastructure zoned land for the purpose of "educational establishment".

Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Yes. A checklist of the Planning Proposal's consistency with the full set of Section 117 Ministerial Directions is included in Attachment 4. The Directions that are relevant to the Planning Proposal are considered in the Table below.

Section 117 Directions	Comment
2.3 Heritage Conservation	The Hurstville LEP 2012 contains Standard Instrument LEP heritage provisions to facilitate heritage conservation. No change to the heritage listing of No.87 and No.89 the Avenue, Hurstville is proposed.
3.1 Residential Zones	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.
3.4 Integrating Land Use and Transport	Consistent. The Subject Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. The Planning Proposal does not hinder the application of this Direction.
6.1 Approval and Referral Requirements	The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.
7.1 Implementation of A Plan for Growing Sydney	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).

Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. There is no likelihood that critical habitat or threatened species, population or ecological communities, or their habitat will be adversely affected. The site is within the existing Danebank School Campus and, as noted above, contains existing school buildings and areas of open space (landscaping and open lawn areas).

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is not envisaged that there will be any adverse environmental effects resulting from the proposed change in zoning of the Subject Site. No physical works are proposed and, as noted above, “educational establishments” are currently permitted (with consent) through the provisions of the SEPP (Infrastructure) 2007. The use of the land as an educational establishment will remain. The Planning Proposal request notes that “over time, the land will be upgraded and redeveloped in response to the changing needs of the School’s students and modern teaching practice”.

As considered above, no change is proposed to the existing heritage listing of No. 87 and No. 89 The Avenue, Hurstville.

How has the planning proposal adequately addressed any social and economic effects?

Yes, the social and economic effects have been adequately addressed. There will be no adverse social and economic effects as a consequence of the Planning Proposal. Any future school facilities would be to the benefit of both the Hurstville and wider community and provide services for the growing Hurstville student population. In addition, the Danebank School provides employment opportunities and economic benefits for the local and wider community. The removal of the R2 Low Density Residential zoning on the two (2) lots will not have an impact on housing supply in the Hurstville LGA. It is noted that these two residential lots are currently owned and used by Danebank School for educational and administrative purposes.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The Planning Proposal zoning change to SP2 Infrastructure (Educational Establishments) will not impact on the current use of the land as a school and will not increase demand on essential public infrastructure. The Subject Site is within the established Danebank School Campus which is well serviced by public infrastructure, including:

- Road access, being within close proximity to Queens Road, a major road on the boundary of the Hurstville City Centre; and
- The location of the Danebank School, within walking distance to the Hurstville Train Station and Bus Interchange.

What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

State and Commonwealth public authorities will be consulted following the outcomes, and in line with any recommendations, of the Gateway Determination.

Part 4: Mapping

The following maps have been prepared, consistent with the “Standard Technical Requirements for LEP Maps” and identify the Subject Site and the proposed land use zone and development standards:

- Land subject to the Planning Proposal
- Proposed land use zone
- Proposed minimum lot size
- Proposed maximum building height
- Proposed maximum floor space ratio.

The full set of maps showing the proposed changes is included in Attachment 2.

The current land use zone and principal development standards (minimum lot size, maximum building height and maximum floor space ratio) maps are provided above in an earlier section of the report.

Part 5: Community Consultation

It is anticipated that the Planning Proposal will be exhibited for a period of twenty eight (28) days in accordance with the provisions of the Environmental Planning and Assessment Act, 1979 and Regulation, 2000 and any requirements of the Gateway Determination.

Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.

Notification of the public exhibition will be through:

- Newspaper advertisement in The St George and Sutherland Shire Leader
- Exhibition notice on Council's website
- Notices in Council offices and libraries
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination
- Letters to adjoining landowners (in accordance with Council's Notification Procedures).

Part 6: Project Timeline

The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	Anticipated Timeframe
Lodgement of Planning Proposal request by Sydney Anglican Schools Corporation.	8 March 2016
Reporting to Council on Planning Proposal	4 July 2016
Anticipated commencement date (date of Gateway determination)	July/August 2016
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	July/August 2016
Commencement and completion dates for public exhibition period (twenty eight (28) days)	August 2016
Dates for public hearing (if required)	As required
Timeframe for consideration of submissions	September 2016
Timeframe for the consideration by Council of a proposal post exhibition	September/October 2016
Date of submission to the Department to finalise the LEP	October 2016

It is noted that the anticipated project timeline may be amended by the Gateway Determination.

3. Conclusion

In summary, the Planning Proposal to rezone two (2) lots within the Danebank School Campus (No.87 and 89 The Avenue, Hurstville) from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments), consistent with the zoning of the majority of the campus, and the removal of the principal development standards; minimum lot size, maximum building height and maximum floor space ratio (also consistent with the SP2 Infrastructure zoned land) is supported.

The key reasons for support include that the:

- Proposed SP2 Infrastructure (Educational Establishment) zoning and changes to the principal development standards will provide consistent zoning and planning controls across the majority of land within the Danebank School Campus and reflect the existing school use of the site;
- Proposed zoning change, and the consequent reduction in R2 Low Density Residential zoned land, will not impact on the supply of residential accommodation in the LGA. The Subject Site has been owned and used by Danebank School for school-related purposes for more than 10 years; and
- Rezoning will provide for long-term certainty for the existing Danebank School, as well as provide for the current and likely future needs of educational facilities in the Hurstville LGA.

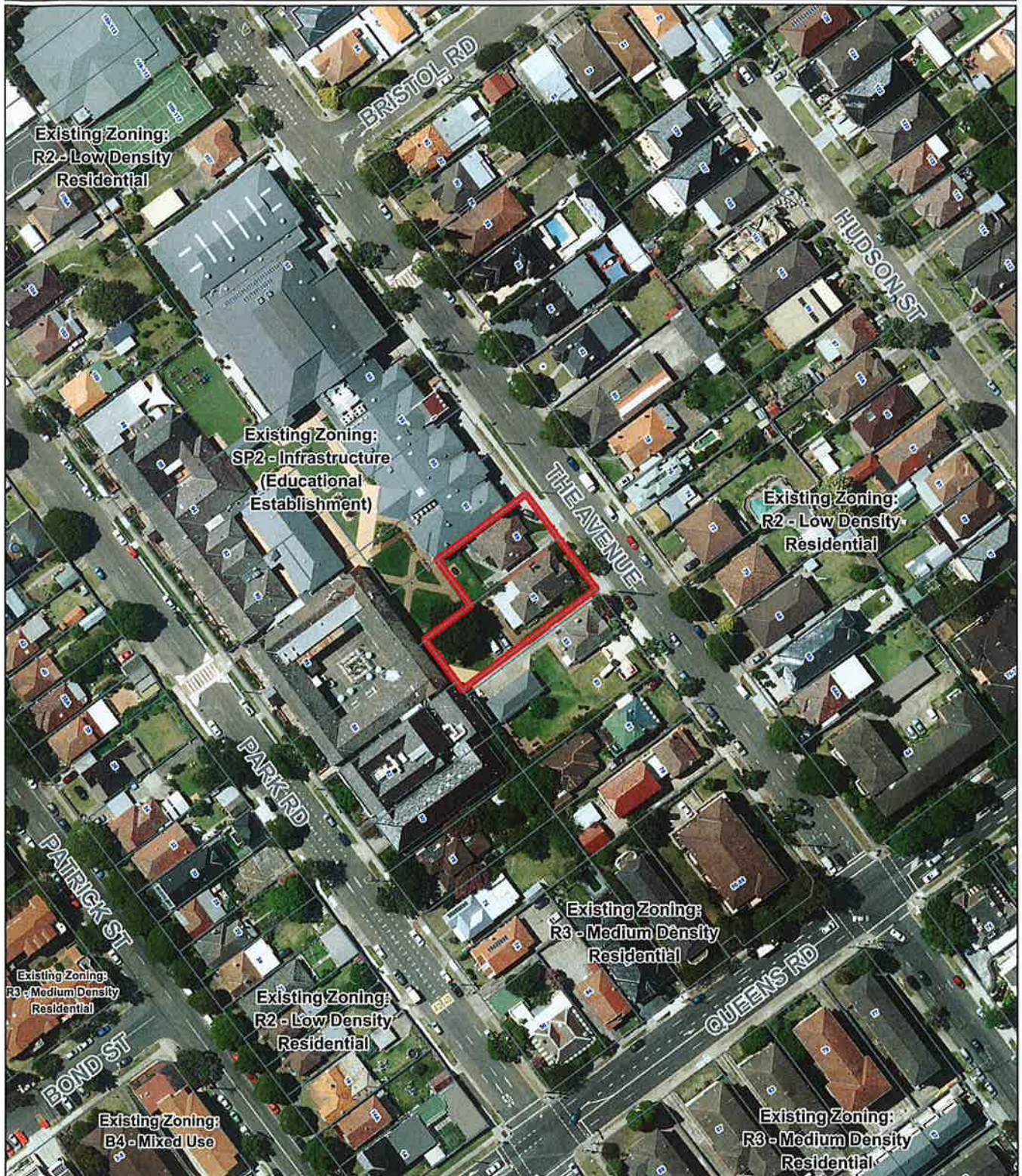
Attachments

Attachment 1:

Aerial of Subject Land and Site identification map

Planning Proposal - Location Map

Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend

-  Subject Site
-  School land currently zoned SP2



Hurstville
City Council

Attachment 2:

Draft Hurstville LEP 2012 Maps

Land Zoning Map Sheet LZN_008

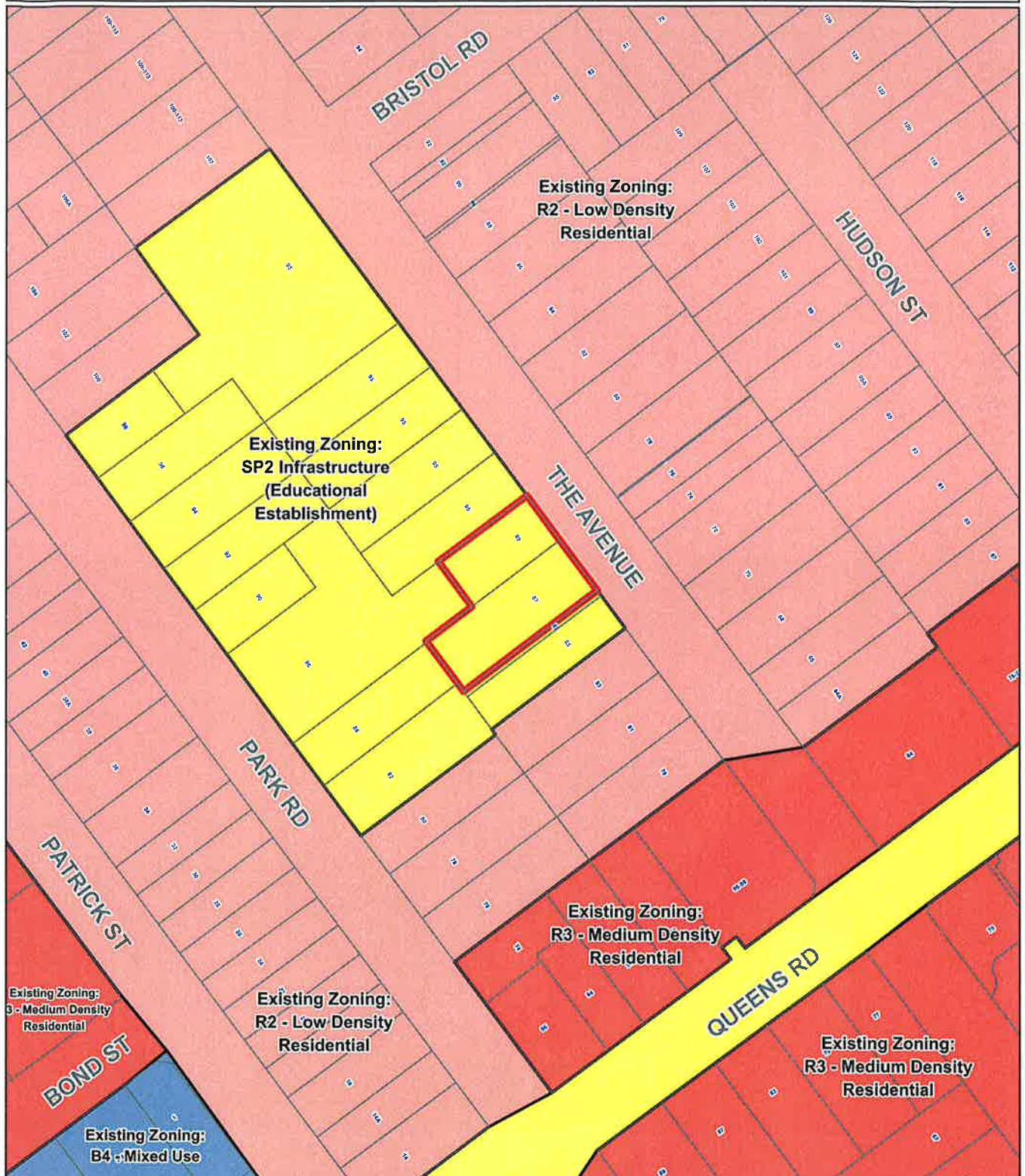
Lot Size Map Sheet LSZ_008

Height of Buildings Map Sheet HOB_008A

Floor Space Ratio Map Sheet FSR_008A.

Planning Proposal - Proposed Zoning Map

Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend



Subject Site

LEP 2012 Zones

R2 Low Density Residential

R3 Medium Density Residential

SP2 Infrastructure

B4 Mixed Use



Hurstville
City Council

Planning Proposal - Proposed Lot Size Map
Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend



Subject Site

LEP 2012 - Minimum Lot Size

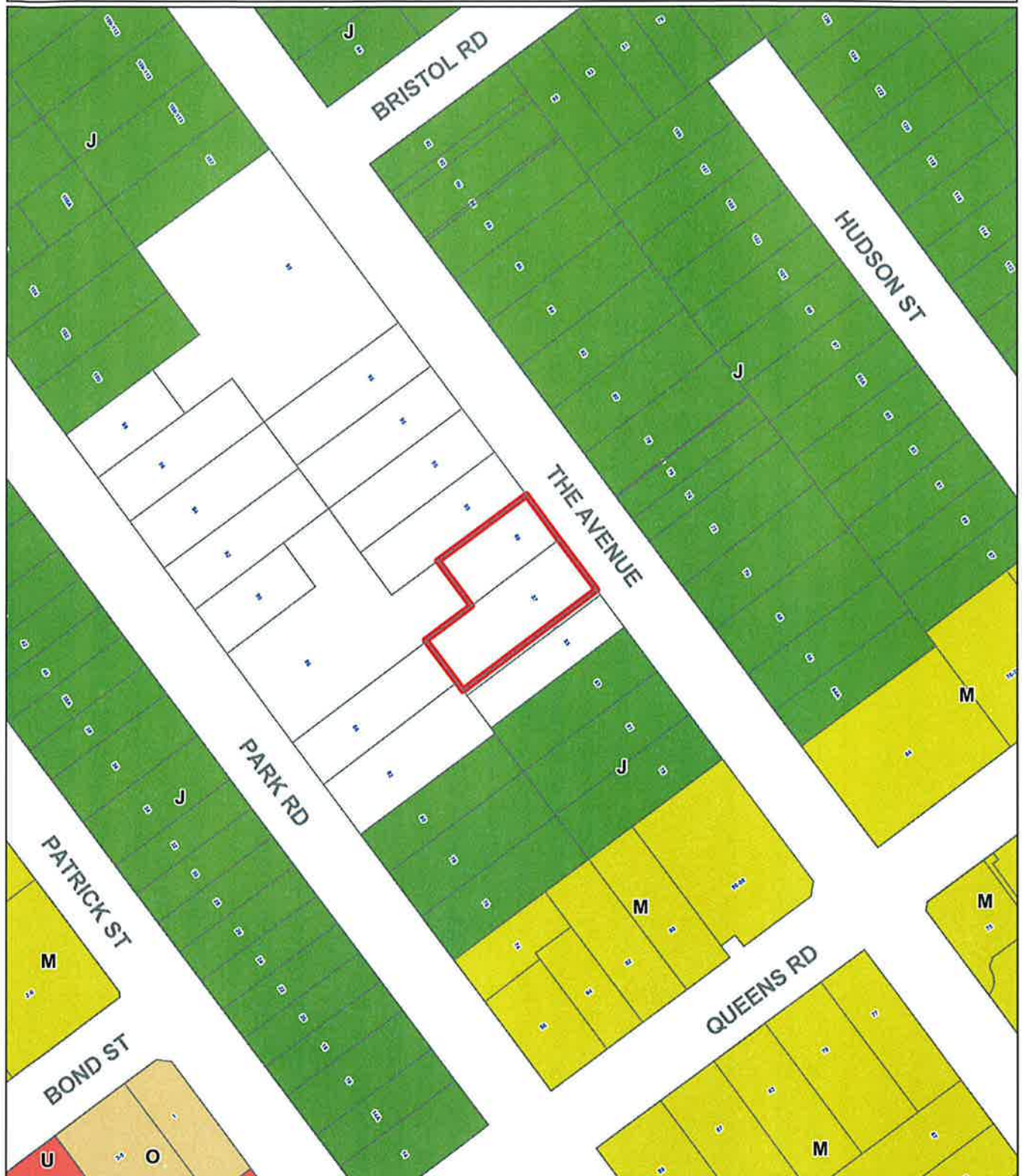


450 sq m



Hurstville
City Council

Planning Proposal - Proposed Height of Buildings Map **Danebank School - Part No.87 and No.89 The Avenue, Hurstville**



Legend

 **Subject Site**

LEP 2012 - Maximum Building Height (m)

 **J** 9
 **M** 12

 **O** 15
 **U** 30



Hurstville
 City Council

Planning Proposal - Proposed Floor Space Ratio Map **Danebank School – Part No 87 and No 89 The Avenue, Hurstville**



Legend

 **Subject Site**

LEP 2012 - Maximum Floor Space Ratio (n:1)

 **F** 0.6

 **N** 1.0

 **V** 3.0

 **X** 4.0



Hurstville
City Council

Attachment 3:

Council Report and Resolution (4 July 2016)

6. Council Reports

Item: CCL023-16 Planning Proposal - PP2016/0001 - 87 and 89 The Avenue Hurstville - Danebank School

Author: Independent Assessment, Consultant Planner and Manager Strategic Planning, Ms C Gregory

Recommendation

- a) THAT Council support the forwarding of the Planning Proposal (PP2016/0001) to the Department of Planning and Environment to request a Gateway Approval to rezone land within the Danebank School Campus (No. 87 and No. 89 The Avenue, Hurstville) to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum floor space ratio controls consistent with SP2 Infrastructure zoned land.

Executive Summary

Sydney Anglican Schools Corporation has submitted a request that Council prepare a Planning Proposal to change the zoning of two (2) lots within the Danebank School campus (known as No. 87 and No. 89 The Avenue) from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment) under the Hurstville Local Environmental Plan 2012 ("LEP 2012"). No.87 and No.89 The Avenue are listed as items of environmental heritage under Schedule 5 of Hurstville LEP 2012.

This report recommends that Council support the Planning Proposal (PP2016/0001) request for the following amendments to the Hurstville LEP 2012 in relation to No. 87 and No. 89 The Avenue, and consistent with the majority of the Danebank School campus:

- rezone from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments);
- remove the minimum lot size of 450m² and identify no minimum lot size;
- remove the maximum building height of 9m and identify no maximum building height; and
- remove the maximum floor space ratio of 0.6:1 and identify no maximum floor space ratio.

There is no change proposed to the heritage listing of the two (2) sites under the Hurstville LEP 2012 Schedule 5 of Environmental Heritage.

Council resolved at its meeting on 2 March 2016 to support a change in zoning and the removal of building height, floor space ratio maximums and minimum subdivision lot size for two (2) other lots within the Danebank School campus (No. 80 Park Road and No. 83 The Avenue); this has been supported by the Department of Planning and Environment and a Gateway Determination has been issued. The Planning Proposal will shortly be placed on community consultation.

No development applications are currently being considered on the Subject Site.

An independent planning consultant has been contracted to review the Planning Proposal and commence the assessment, including the preparation of this report.

IHAP Recommendation

The Georges River Council IHAP considered the Planning Proposal (PP2016/0001) at its meeting of 21 June 2016 and recommended:

The Georges River Council IHAP recommends that the Planning Proposal (PP2016/0001) to rezone land within the Danebank School Campus (No. 87 and No. 89 The Avenue, Hurstville) to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum floor space ratio controls consistent with SP2 Infrastructure zoned land be forwarded to the Department of Planning and Environment for a Gateway Determination.

Background

1. The request to prepare a Planning Proposal (PP2016/0001) for two (2) lots within the Danebank School was submitted by the Sydney Anglican Schools Corporation on 8 March 2016. The Planning Proposal requests that two (2) lots (No. 87 and No. 89 The Avenue) currently zoned R2 Low Density Residential be rezoned to SP2 Infrastructure and that the maximum building height, maximum FSR and minimum lot size development standards not apply.
2. The majority of land within the Danebank School campus is zoned SP2 Infrastructure (Educational Establishments); the remaining lots are zoned R2 Low Density Residential (consistent with the surrounding residential area). Council recently supported a change in zoning and removal of the maximum building height, maximum FSR and minimum lot size development standards for two (2) other lots within the Danebank School campus (No. 80 Park Road and No. 83 The Avenue); this has been supported by the Department of Planning and Environment (Gateway Determination) and will shortly be on community consultation.
3. The zoning of the Danebank School site in the Hurstville LEP 2012 (SP2 Infrastructure (Educational Establishments)) was a direct transfer from the previous Hurstville LEP 1994 zoning (Zone 5(a) (General Special Uses (School))). Those sites within the Danebank School campus zoned 2 (Residential Zone) under the Hurstville LEP 1994 were transferred to the equivalent R2 Low Density Residential Zone. It is noted that the State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of “*educational establishments*” with consent in “prescribed zones”. The R2 Low Density Residential is a “prescribed zone” under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

SITE DESCRIPTION

Subject Site

4. The Subject Site includes two (2) lots with a combined area of approximately 1,302m² which are known as No. 87 and No. 89 The Avenue, Hurstville and comprise:
 - Lot 97 in DP 1595 (No. 87 The Avenue) is a rectangular shaped lot which measures approximately 820m² and has a frontage of approximately 17.5m to The Avenue and a depth of 47m; and
 - Lot 96 in DP 663361 (No. 89 The Avenue) is a rectangular shaped lot which measures approximately 482m² and has a frontage of approximately 15.5m to The Avenue and a depth of 31m.

5. No. 87 The Avenue also includes approximately 2m wide parcel of land (Lot 1 DP166769), adjacent to No. 99 The Avenue, which is not part of the Planning Proposal. This lot is currently zoned SP2 Infrastructure and has no maximum building height, maximum FSR or minimum lot size consistent with the majority of the Danebank School site.

The Subject Site is shown in Figure 1 below.

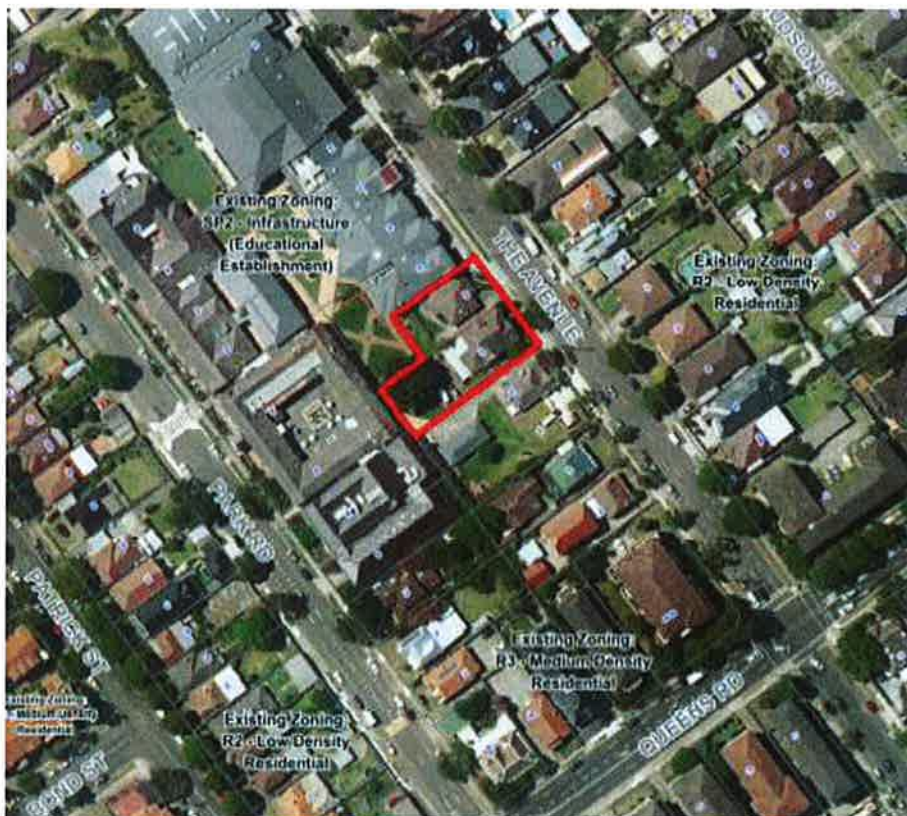


Figure 1: Site (bounded in red) and Surrounding Land (Source: Georges River Council)

6. The existing buildings on the Subject Site are described below:
- No. 87 The Avenue "Oikos" is a detached single storey face brick Federation cottage constructed in 1910-11. The Statement of Significance on the NSW Heritage website states:
"The house formerly known as "Oikos" is of local significance for its historic, aesthetic and representative values as a Federation style cottage reflecting the development of the area following subdivision of the Hurstville Park Estate in 1885. It has aesthetic values and contribution to the streetscape character of The Avenue due to its distinctive Federation style cottage and architectural detailing including an asymmetrical facade and form, featuring a half hipped slate roof and gabled roofs facing the street at each side with terracotta ridges, finials and apex decoration, shingles to gable ends and tall brick chimneys with terracotta pots. A verandah supported by timber piers and a brick base flanks the front façade on the side"; and
 - No. 89 The Avenue "Sylvan" is a detached single storey dwelling with a tiled hipped roof constructed in 1936. The Statement of Significance on the NSW Heritage website states:

“Sylvan at 89 The Avenue, Hurstville is of local significance for its ability in demonstrating evidence of rapid development and second phase of subdivision in the area. ‘Sylvan is a representative of the Inter-War period development in the area and together with the other historic buildings along The Avenue demonstrates the phases of development in Hurstville dating back from the Victorian and Federation periods to the Inter-War period. It contributes to the streetscape quality of The Avenue’”.

Site History

7. The Planning Proposal request provides a brief history of the Danebank School site, noting that the *“Danebank School was established in 1933 and has accommodated further growth through progressive, staged expansion of the school campus since that time”*. Details of recent development consents (since 1993) are listed and include construction of school library, staff rooms, class rooms, swimming pool complex and gymnasium, school hall and increase in staff and student numbers. The master plan for the staged redevelopment of the Danebank School was also provided and shows the Danebank School’s proposed staging plan (refer Appendix 1).

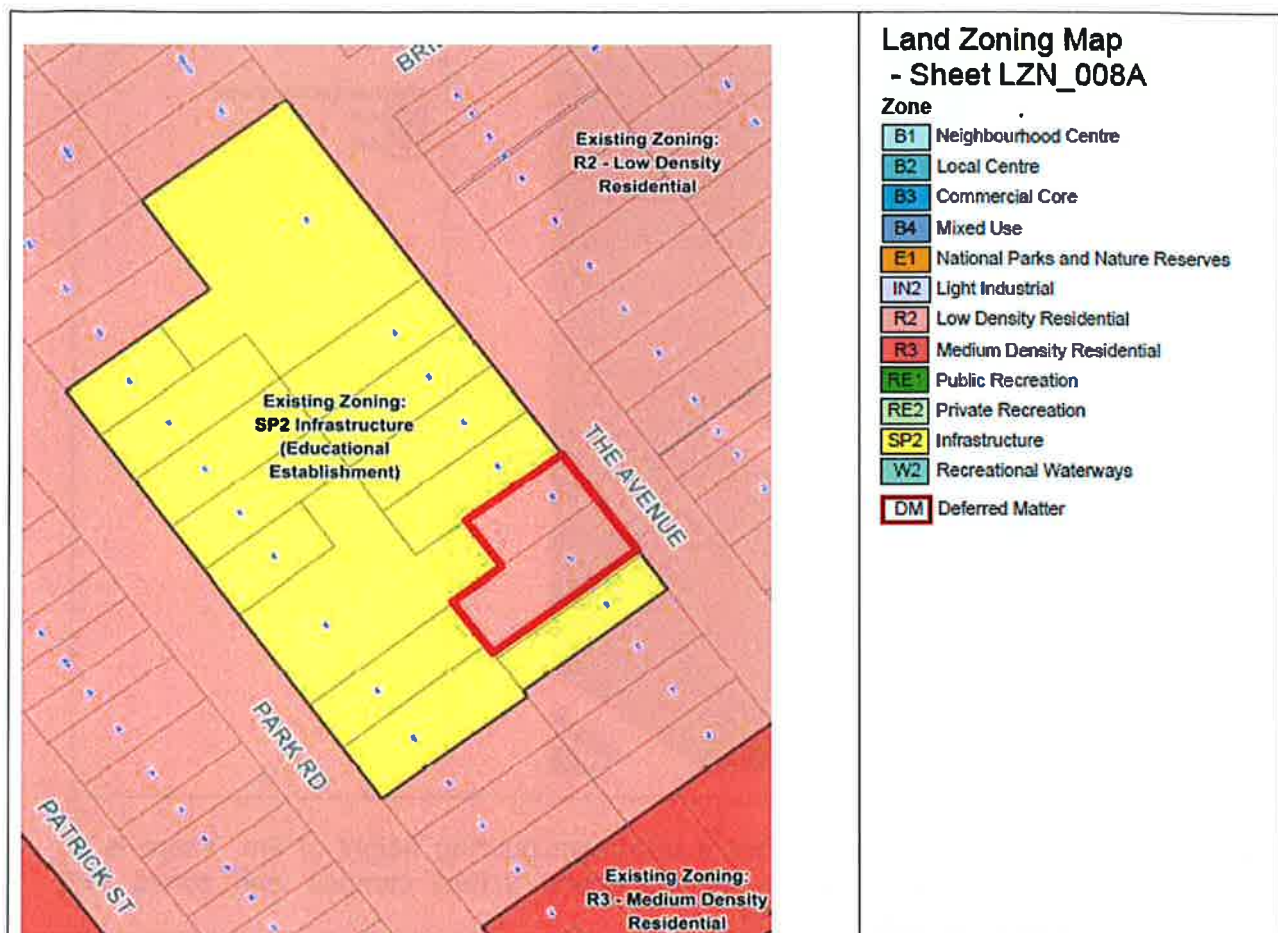
Surrounding Land

8. The Subject Site is on the eastern boundary of the Danebank School campus as shown in Figure 1 above. The school contains both two (2) and three (3) storey buildings, with an internal open space area within the central spine of the school campus. As noted in the Planning Proposal request *“the Junior and Senior School buildings are the dominant land use within the Park Road and The Avenue streetscape with 2-3 storey administration and classroom buildings extending along Park Road, with a Design and Technology building called “The Terraces”, a Drama and Performing Arts Centre and Gymnasium, ancillary school buildings and school bus parking area fronting The Avenue. The Danebank College Aquatic Centre, comprising an indoor swimming pool, multi-purpose sports court and carpark under also fronts The Avenue”*.
9. The Site sits within the Danebank School Campus, with school uses located immediately to the north, west and south.
10. A summary of the land surrounding the boundaries of the Danebank School campus is provided below:
 - North - single and two (2) storey dwelling houses;
 - South - residential land use with No. 81 The Avenue and No. 78 Park Road including single and two (2) storey dwellings. Further south are single detached dwellings, with a number of multi storey residential flat buildings further south towards Queens Road;
 - East (across The Avenue) - predominantly single dwelling houses of one (1) and two (2) storeys.

Current Planning Controls

11. The Hurstville LEP 2012 applies to the Subject Site and the following provisions are relevant to the Planning Proposal:

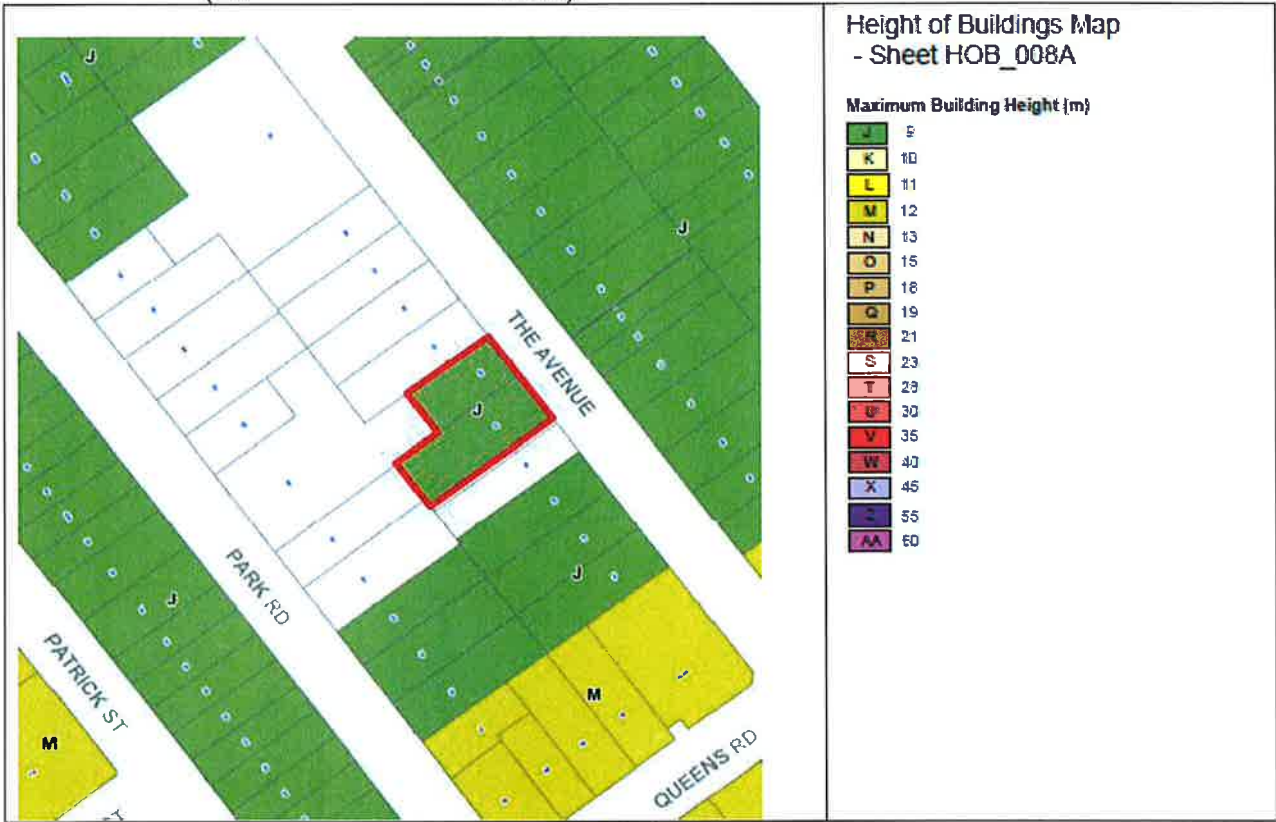
Land Zoning: the Subject Site is zoned R2 Low Density Residential.



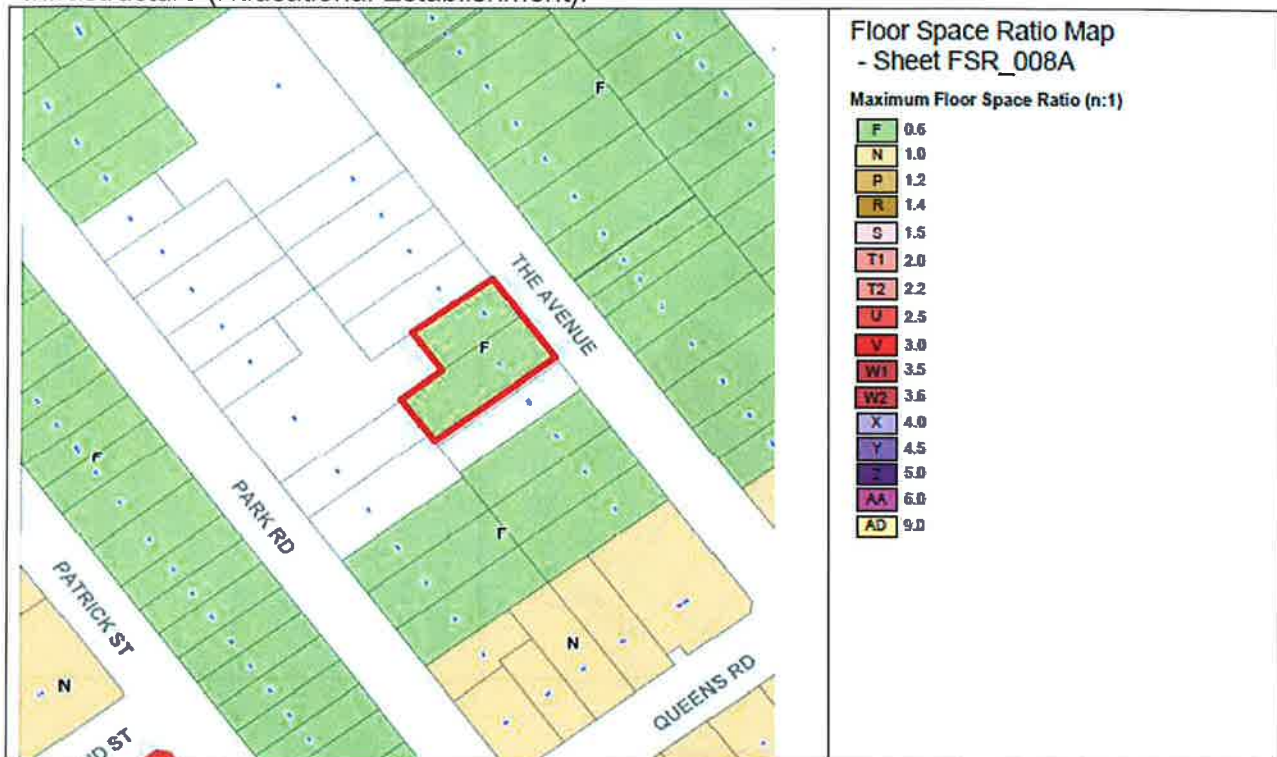
Minimum Lot Size: the Subject Site has a minimum subdivision lot size of 450m². There is no minimum lot size specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).



Height of Buildings: the Subject Site has a maximum building height of 9m. There is no maximum building height specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).



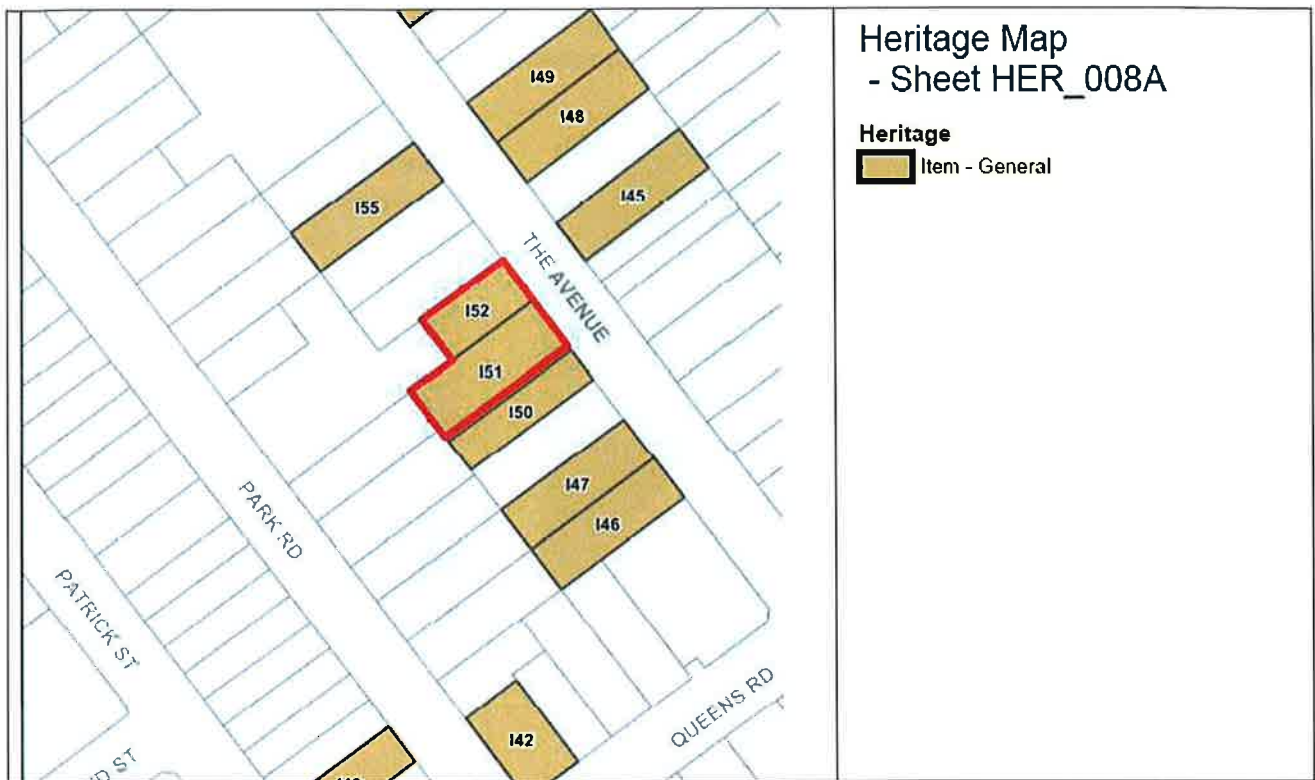
Floor Space Ratio: the Subject Site has a maximum floor space ratio of 0.6:1. There is no maximum floor space ratio specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).



Heritage: the two (2) lots within the Subject Site are identified as items of environmental heritage in Schedule 5 of the Hurstville LEP 2012:

- Item 51 – “Oikos” Federation House, No. 87 The Avenue (Lot 97 DP1595 and Lot 1 DP166769); and
- Item 52 – “Sylvan”, No. 89 The Avenue (Lot 96 DP663361).

Item 51 also includes Lot 1 DP166769 which is a small parcel of land adjacent to No. 87 The Avenue which is zoned SP2 and does not form part of the Planning Proposal. A number of heritage items are also located in close proximity as shown in the Heritage Map extract below.



APPLICANT'S PLANNING PROPOSAL REQUEST

12. The Planning Proposal request submitted by Sydney Anglican Schools Corporation on 8 March 2016 was supported by the following documents:
 - Planning Proposal, Regularisation of Zoning of School-owned land to SP2 Infrastructure (Educational Establishment), March 2016 (refer Appendix 1);
 - Planning Proposal, Completed Form and Checklist, 3 March 2016; and
 - Letter of Owners Consent, Sydney Anglican Schools Corporation, 3 March 2016.
13. The Planning Proposal requests the following amendments to the Hurstville LEP 2012 in relation to No. 87 and No. 89 The Avenue, Hurstville:
 - Amend the Land Zoning Map to rezone the Subject Site from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments);
 - Amend the Minimum Lot Size Map to remove the minimum lot size of 450m² and identify no minimum lot size for the Subject Site, consistent with the SP2 Infrastructure zoned land;
 - Amend the Height of Buildings Map to remove the maximum building height of 9m and identify no maximum building height for the Subject Site, consistent with the SP2 Infrastructure zoned land; and
 - Amend the Floor Space Ratio Map to remove the maximum floor space ratio of 0.6:1 and identify no maximum floor space ratio for the Subject Site, consistent with the SP2 Infrastructure zoned land.
14. An assessment of the Applicant's Planning Proposal request concluded that sufficient information has been provided. The Planning Proposal is supported and it is recommended that it progress to the Department of Planning and Environment for a Gateway Determination.

THE PLANNING PROPOSAL

15. The Planning Proposal has been assessed under the relevant sections of the *Environmental Planning and Assessment Act 1979* and *Regulation 2000* and the following advisory documents prepared by the Department of Planning and Environment:
 - “A guide to preparing planning proposals” (October 2012); and
 - “A guide to preparing local environmental plans” (April 2013).
16. The assessment includes a review of the strategic planning framework and a site-specific assessment as listed below:
 - Hurstville Local Environmental Plan 2012;
 - State Environmental Planning Policies;
 - Ministerial Section 117 Directions;
 - Environmental, Social and Economic Impacts; and
 - Services and Infrastructure.
17. Section 55 of the Environmental Planning & Assessment Act, 1979 outlines that a planning proposal must explain the intended effect and the justification for making the proposed instrument and must include the following components:
 - A statement of the objectives and intended outcomes of the proposed instrument (Part 1);
 - An explanation of the provisions that are to be included in the proposed instrument (Part 2);
 - The justification for those objectives, outcomes and the process for their implementation (including whether the proposed instrument will comply with relevant directions under section 117) (Part 3);
 - Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies (Part 4); and
 - Details of community consultation that is to be undertaken before consideration is given to the making of the proposed instrument (Part 5).

Parts 1 – 5 below address the information requirements for Planning Proposals.

Part 1 – Objectives and Intended Outcomes

18. The objective of the Planning Proposal is to rezone two (2) 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 and which reflects the use of the land as an “educational establishment”.
19. The intended outcomes of the Planning Proposal are to:
 - Provide a uniform SP2 Infrastructure (Educational Establishment) zoning for the majority of the Danebank School campus;
 - Ensure that the land use zone reflects the existing use of the land as an “educational establishment”;
 - Create certainty in relation to the retention of community (educational) assets that will support the social, community and educational needs of the community;
 - Allow for development of educational establishment buildings consistent with their use and the existing scale of development within the Danebank School Campus; and

- Ensure that sufficient zoned land for educational establishments is provided within the Georges River LGA and is available for existing and future residents.

Part 2 – Explanation of Provisions

20. The proposed intended outcome (refer Part 1) will be achieved by amending the Hurstville LEP 2012 as follows:

- Amending the *Land Zoning Map* (Sheet LNZ_008) on the Subject Site in accordance with the proposed zoning map shown in Appendix 2 to change the zoning of the site from R2 Low Density Residential Zone to SP2 Educational Establishments; and
- Amending the *Lot Size Map* (Sheet LSZ_008)) to remove the minimum lot size applicable to the Subject Site in accordance with the proposed Lot Size Map shown in Appendix 2;
- Amending the *Height of Buildings Map* (Sheet HOB_008) to remove the maximum building height applicable to the Subject Site in accordance with the proposed Height of Buildings Map shown in Appendix 2; and
- Amending the *Floor Space Ratio Map* (Sheet FSR_008) to remove the maximum floor space ratio applicable to the Subject Site in accordance with the proposed Floor Space Ratio Map shown in Appendix 2.

21. It is noted that under the current SP2 Infrastructure zoning for the Danebank School campus no maximum floor space ratio, maximum building height or minimum lot size restrictions apply; generally consistent with SP2 Infrastructure zoned land in the Georges River LGA.

Part 3 – Justification

22. Section A – Need for the planning proposal

Is the planning proposal a result of any strategic study or report?

No. There are no specific strategic studies or reports relating to the Planning Proposal. The Planning Proposal applies a land use zone consistent with the majority of the land within the Danebank School campus which is zoned SP2 Infrastructure (Educational Establishment).

The Planning Proposal request is the result of a decision by the Sydney Anglican Schools Corporation and Danebank School.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of educational establishments with consent in “prescribed zones”. The R2 Low Density Residential (which the Subject site is currently zoned) is a “prescribed zone” under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007. The Planning Proposal removes the maximum building height and maximum FSR development standards which will allow the educational establishment to better utilise the existing land area and provide for improved educational facilities.

The Planning Proposal is the best means of achieving the objectives and intended outcomes by introducing a SP2 land use zoning on the subject site, consistent with the majority of the land within the Danebank School campus, and removing the development standards which relate to the R2 Low Density Residential zone.

23. Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including A Plan for Growing Sydney and exhibited draft South Subregional Strategy)?

The Planning Proposal is not inconsistent with relevant strategies including A Plan for Growing Sydney which sets the strategic direction for Sydney towards 2031 and the draft South Subregional Strategy. The proposed changes to the two (2) lots within the Danebank School campus will have no impact on the objectives and actions of the Plan and draft Strategy and will assist in providing better educational infrastructure for the locality by facilitating consolidation of zoning controls applicable to an existing educational establishment and allowing for better and more efficient use of the existing site area.

Is the planning proposal consistent with a council's local strategy or other local strategic plan?

24. The Hurstville LEP 2012 reflects Council's strategic direction for the Georges River LGA; the Planning Proposal satisfies the following LEP objectives:

- *to encourage and co-ordinate the orderly and economic use and development of land that is compatible with local amenity,*
- *to ensure development is carried out in such a way as to promote the efficient and equitable provision of public services, infrastructure and community facilities,*
- *to concentrate intensive land uses and trip-generating activities in locations most accessible to transport and centres,*

25. The Planning Proposal will provide for a consistent SP2 Infrastructure (Educational Establishments) zoning of the Danebank School campus.

26. As detailed in the Planning Proposal request, the zoning change is consistent with the Hurstville Community Strategic Plan 2025 Social and Cultural Development and Economic Prosperity Pillars, in that it will:

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

Is the planning proposal consistent with applicable State Environmental Planning Policies?

State Environmental Planning Policies (SEPPs)

27. The full assessment of the Planning Proposal against all the State Environmental Planning Policies ("SEPPs") is provided in Appendix 3 and within the Applicant's submission (Appendix 1).

28. The Planning Proposal is not inconsistent with the SEPP (Infrastructure) 2007 provisions. The SEPP will apply to all future development on the SP2 Infrastructure zoned land for the purpose of "educational establishment".

Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Ministerial Direction (Section 117 Directions)

29. A checklist of the Planning Proposal's consistency with the full set of Section 117 Ministerial Directions is included in Appendix 3. The Directions that are relevant to the Planning Proposal are considered in the Table below.

Section 117 Directions	Comment
2.3 Heritage Conservation	The Hurstville LEP 2012 contains Standard Instrument LEP provisions to facilitate the heritage conservation. No change to the heritage listing of No.87 and No.89 The Avenue, Hurstville is proposed.
3.1 Residential Zones	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.
3.4 Integrating Land Use and Transport	Consistent. The Subject Site is strategically positioned in terms of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. The Planning Proposal does not hinder the application of this Direction.
6.1 Approval and Referral Requirements	The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.
7.1 Implementation of A Plan for Growing Sydney	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).

30. Section C – Environmental, social and economic impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. There is no likelihood that critical habitat or threatened species, population or ecological communities, or their habitat will be adversely affected. The site is within the existing Danebank School campus and, as noted above, contains existing school buildings and areas of open space (landscaping and open lawn areas).

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

It is not envisaged that there will be any adverse environmental effects resulting from the proposed change in zoning of the Subject Site. No physical works are proposed and, as noted above, "educational establishments" are currently permitted (with consent) through the provisions of the SEPP (Infrastructure) 2007. The use of the land as an educational establishment will remain. The Planning Proposal request notes that "over time, the land will be upgraded and redeveloped in response to the changing needs of the School's students and modern teaching practice".

As considered above, no change is proposed to the existing heritage listing of No. 87 and No. 89 The Avenue, Hurstville.

Has the planning proposal adequately addressed any social and economic effects?

Yes, the social and economic effects have been adequately addressed. There will be no adverse social and economic effects as a consequence of the Planning Proposal. Any future school facilities would be to the benefit of both the Hurstville and wider community and provide services for the growing Hurstville student population. In addition, the Danebank School provides employment opportunities and economic benefits for the local and wider community. The removal of the R2 Low Density Residential zoning on the two (2) lots will not have an impact on housing supply in the Georges River LGA. It is noted that these two residential lots are currently owned and used by Danebank School for educational and administrative purposes.

31. Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The Planning Proposal zoning change to SP2 Infrastructure (Educational Establishments) will not impact on the current use of the land as an educational establishment and will not increase demand on essential public infrastructure. The Subject Site is within the established Danebank School campus which is well serviced by public infrastructure, including:

- Road access, being within close proximity to Queens Road, a major road on the boundary of the Hurstville City Centre; and
- The location of the Danebank School, within walking distance to the Hurstville Train Station and Bus Interchange.

What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

State and Commonwealth public authorities will be consulted following the outcomes, and in line with any recommendations, of the Gateway Determination.

32. Part 4 – Mapping

The following maps have been prepared, consistent with the “Standard Technical Requirements for LEP Maps” and identify the Subject Site and the proposed land use zone and development standards:

- Land subject to the Planning Proposal;
- Proposed land use zone;
- Proposed minimum lot size;
- Proposed maximum building height; and
- Proposed maximum floor space ratio.

The full set of maps showing the proposed changes is included in Appendix 2.

The current land use zone and principal development standards (minimum lot size, maximum building height and maximum floor space ratio) maps are considered above in an earlier section of the report.

33. Part 5 – Community Consultation

It is anticipated that the Planning Proposal will be exhibited for a period of twenty eight (28) days in accordance with the provisions of the Environmental Planning and

Assessment Act, 1979 and Regulation, 2000 and any requirements of the Gateway Determination.

Exhibition material, including explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.

Notification of the public exhibition will be through:

- Newspaper advertisement in The St George and Sutherland Shire Leader;
- Exhibition notice on Council's website;
- Notices in Council offices and libraries;
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination; and
- Letters to adjoining landowners (in accordance with Council's Notification Procedures).

34. **Part 6 – Project Timeline**

The anticipated project timeline for completion of the Planning Proposal is shown below:

Task	Anticipated Timeframe
Lodgement of Planning Proposal request by Sydney Anglican Schools Corporation.	8 March 2016
Reporting to Council on Planning Proposal	4 July 2016 (this report)
Anticipated commencement date (date of Gateway determination)	July/August 2016
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	July/August 2016
Commencement and completion dates for public exhibition period (twenty eight (28) days)	August 2016
Dates for public hearing (if required)	As required
Timeframe for consideration of submissions	September 2016
Timeframe for the consideration by Council of a proposal post exhibition	September/October 2016
Date of submission to the Department to finalise the LEP	October 2016

It is noted that the project timeline will be assessed by the Department of Planning and Environment and may be amended by the Gateway Determination.

35. **CONCLUSION**

In summary, the Planning Proposal to rezone two (2) lots within the Danebank School campus (No. 87 and No. 89 The Avenue, Hurstville) from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments), consistent with the zoning of the majority of the campus, and the removal of the principal development standards; minimum lot size, maximum building height and maximum floor space ratio (also consistent with the SP2 Infrastructure zoned land) is supported. The key reasons for support include that the:

- Proposed SP2 Infrastructure (Educational Establishment) zoning and changes to the principal development standards will provide consistent zoning and development standards across the majority of land within the Danebank School campus and reflects the existing school use of the site;

- Proposed zoning change, and the consequent reduction in R2 Low Density Residential zoned land, will not impact on the supply of residential accommodation in the LGA. The Subject Site has been owned and used by Danebank School for school-related purposes for more than 10 years; and
- Rezoning will provide for long-term certainty for the existing Danebank School, as well as provide for the current and likely future needs of educational facilities in the Georges River LGA.

36. NEXT STEPS

Support Planning Proposal

If Council resolves to support the Planning Proposal and send the Planning Proposal to the Department of Planning and Environment for consideration.

Once the Planning Proposal is submitted to the Department the Proposal will be assessed and a recommendation to the Minister (or delegate) as to whether there is merit in the Proposal proceeding and if so, whether any conditions should be attached to the Proposal to ensure it progresses. If it is determined that a Proposal should proceed, the Minister (or delegate) will issue a Gateway Determination and the matter will be returned to Council to finalise in accordance with any conditions imposed by the Gateway Determination.

37. Pre-Gateway Review

If Council resolves not to adopt the recommendation in this report to support the Planning Proposal, the Applicant has the opportunity to request a pre-Gateway Review by the Department of Planning and Environment. An applicant has forty (40) days from the date of notification of Council's decision to request a review.

The Department will notify Council of an Applicant's request for review if it is confirmed to be eligible and complete. The Council will have twenty one (21) days to provide a response in relation to why the original request to Council was not supported. The Department will review the Proposal and the Secretary will make the final decision whether the Planning Proposal proceeds to Gateway.

Operational Plan Budget

Within budget allocation.

APPENDICES

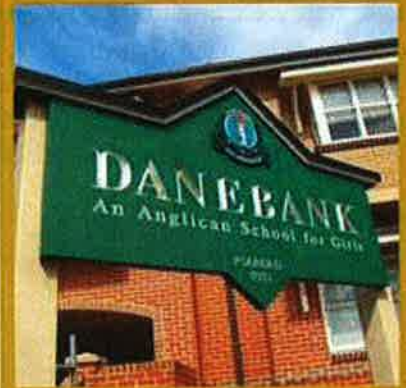
Appendix View1	Applicant's Planning Proposal Report - 87 and 89 The Avenue Hurstville
Appendix View2	Proposed Hurstville LEP 2012 Map Amendments
Appendix View3	SEPP and S117 Direction Consideration

for
Sydney Anglican Schools Corporation

**Regularisation of zoning of School-owned land to
SP2 Infrastructure (Educational Establishment)**

**Lot 97 DP 1595 No. 87 The Avenue &
Lot 96 DP 663361 No. 89 The Avenue, Hurstville, NSW**

Planning Proposal



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March 2016

*Rezoning of school owned land at Danebank School
87-89 The Avenue, Hurstville NSW*

Planning Proposal Report

Author:	Gary Peacock (BTP UNSW) Managing Director Outline Planning Consultants Pty Ltd
Dated:	March 2016
Signed:	

**Planning Proposal
Sydney Anglican Schools Corporation
Regularisation of SP2 zoning
School-owned land
No.s 87-89 The Avenue
Hurstville NSW**

March 2016

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1 Introduction

1.1 Overview

This Planning Proposal report explains the intended effect of, and justification for, the proposed amendment to the Hurstville Local Environmental Plan 2012 (the LEP) to rezone land lawfully used by Danebank School for school purposes from R2 Low Density Residential to SP2 Infrastructure, to conform with the existing uses and zoning applicable to the adjoining Danebank School campus. Refer Figure 1.

The land proposed to be rezoned, the subject of this Planning Proposal report (the site, subject land), comprises Lot 97 DP 1595 No. 87 The Avenue and Lot 96 DP 663361 No. 89 The Avenue, Hurstville, in the City of Hurstville local government area (LGA). The site is owned by Sydney Anglican Schools Corporation and is currently used for Council-approved school purposes associated with Danebank School. Both school buildings are heritage listed under the local planning instrument. They comprise:

- One storey school building on Lot 97 in DP 1595, at No. 87 The Avenue. Building approved by Hurstville City Council in 1997 for school-related uses. Refer Table 1.
- One storey school building on Lot 96 in DP 663361, at No. 89 The Avenue. Building approved by Hurstville City Council in 1995 for school-related uses. Refer Table 1.

The above school uses were approved at a time when "educational establishments" (ie. schools) were a permissible use on the subject land. Since then, with subsequent new planning instruments being gazetted, school uses are no longer permissible under the residential zoning applicable under the current local planning instrument. This rezoning seeks to correct this planning anomaly by rezoning the land to SP2 Infrastructure, reflecting the currently approved uses of the subject land.

This Planning Proposal has been prepared by Outline Planning Consultants Pty Ltd on behalf of the Sydney Anglican Schools Corporation in accordance with s.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning & Environment comprising the following:

- *A Guide to Preparing Local Environmental Plans* (April 2013).
- *A Guide to Preparing Planning Proposals* (October 2012).

The rezoning has been prepared in accordance with the LEP Practice Note 10-001 issued by the Department of Planning and Infrastructure on 14 December 2010 and LEP Practice Note 11-002, issued 10 March 2011, which advises that "Infrastructure land that is highly unlikely to be used for a different purpose in the future should be zoned SP2"- considered especially relevant to Danebank School, established since 1933- and that schools can be considered for a SP2 zoning. Currently most of the Danebank School has already been zoned SP2 Infrastructure- Educational Establishment.

This report outlines the existing and proposed planning and zoning framework and amendments sought to the LEP to facilitate the rezoning sought.

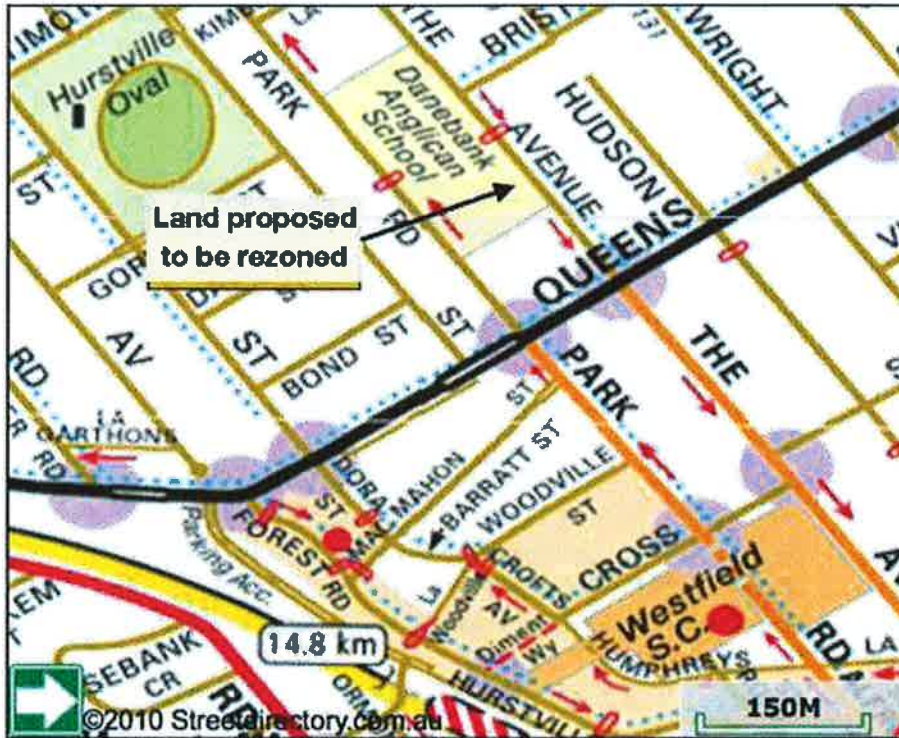


FIGURE 1: Location of Subject Lands Proposed to be Rezoned

(Map Base Source: Sydway streetdirectory.com.au mapping)



It is considered that the most appropriate zoning of the subject land is SP2 Infrastructure - Educational Establishment, reflecting the existing/approved use of the two land parcels. The rezoning proposed will also assist in enabling the Danebank School to consolidate the planning controls over the school campus into one SP2 Infrastructure zoning- a zoning which would allow future school development on the subject land under local planning controls. This action would also enable the Danebank School to proceed with its overall master plan for the school campus with confidence in the knowledge that it can continue with the upgrading of the school site and meet future student needs.

The Planning Proposal regularises the zoning of the subject lands to accord with that of the Danebank School campus and Council approvals already in place. In this way, the rezoning proposal is in the public interest.

1.2 Background

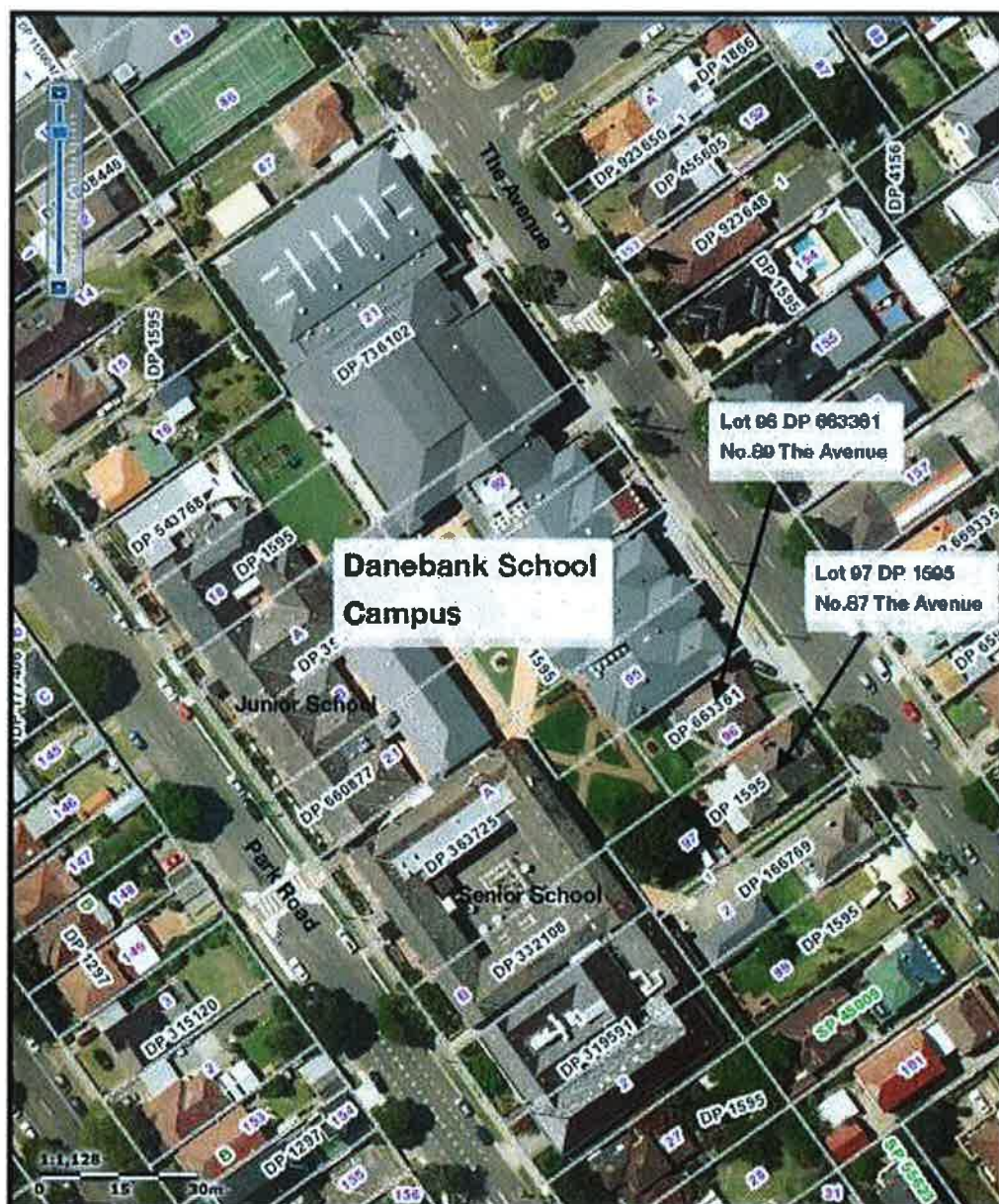
Danebank School was established in 1933 and has accommodated further growth through progressive, staged expansion of the school campus since that time. Reflecting this growth, the accompanying table summarises the development consents progressively issued by Council over time for the school-owned lands. The consents relating to the lands the subject of this planning proposal are highlighted.

Table 1.1: Danebank School Council Consents Issued

Consent Date	Land Use & Location
15 July 1993	Construction of a school library, staff room, class rooms, stores and a below ground car park at No. 82 Park Road, Hurstville
14 December 1995	Use of the heritage building at No.89 The Avenue, Hurstville as a school classroom
4 March 1997	Use of the heritage building at No.87 The Avenue into a music teaching facility for the school's use
6 May 1998	Construction of swimming pool complex and gymnasium for Danebank School at No. 96-99 and 109-111 The Avenue, Hurstville
9 November 1998	Construction of a gymnasium, swimming pool complex, playing court and basement car park at No.109-113A The Avenue, Hurstville
3 April 2000	Alterations and additions to the Danebank Junior School adjacent to the Park Road frontage
25 July 2001	Internal alterations and upgrading of existing school rooms (science block) which front Park Road
3 October 2001	Demolition works and construction of classrooms adjacent to the Park Road frontage
20 November 2002	Construction of a new classroom building and extension of the existing bus access
7 July 2004	Construction of a school hall, classrooms and basement car park at No.95-105 The Avenue
3 January 2006	Consent to increase staff and student numbers to 84 and 950 respectively. MOD2013/0022 was subsequently approved on 7 August 2013 to allow a further increase in students to 1,000 and an increase in staff to 120
2 May 2008	Consent for demolition of house and erection of shaded area and driveway (for buses)
2 November 2011	Consent for shade structure on the school grounds at No.85 The Avenue, Hurstville
7 October 2015	Deferred consent for new bus parking facility 113-115 the Avenue
6 November 2015	Consent for demountable school building 83-85 The Avenue

*Rezoning of school owned land at Danebank School
 87-89 The Avenue, Hurstville NSW*

Planning Proposal Report



**FIGURE 2: Aerial Photograph of Danebank School & Land Proposed to be Rezoned
 SP2 Infrastructure- Educational Establishment**

(Map Base Source: NSW (p. Six Maps))

Rezoning of school owned land at Danebank School
 87-89 The Avenue, Hurstville NSW

Planning Proposal Report

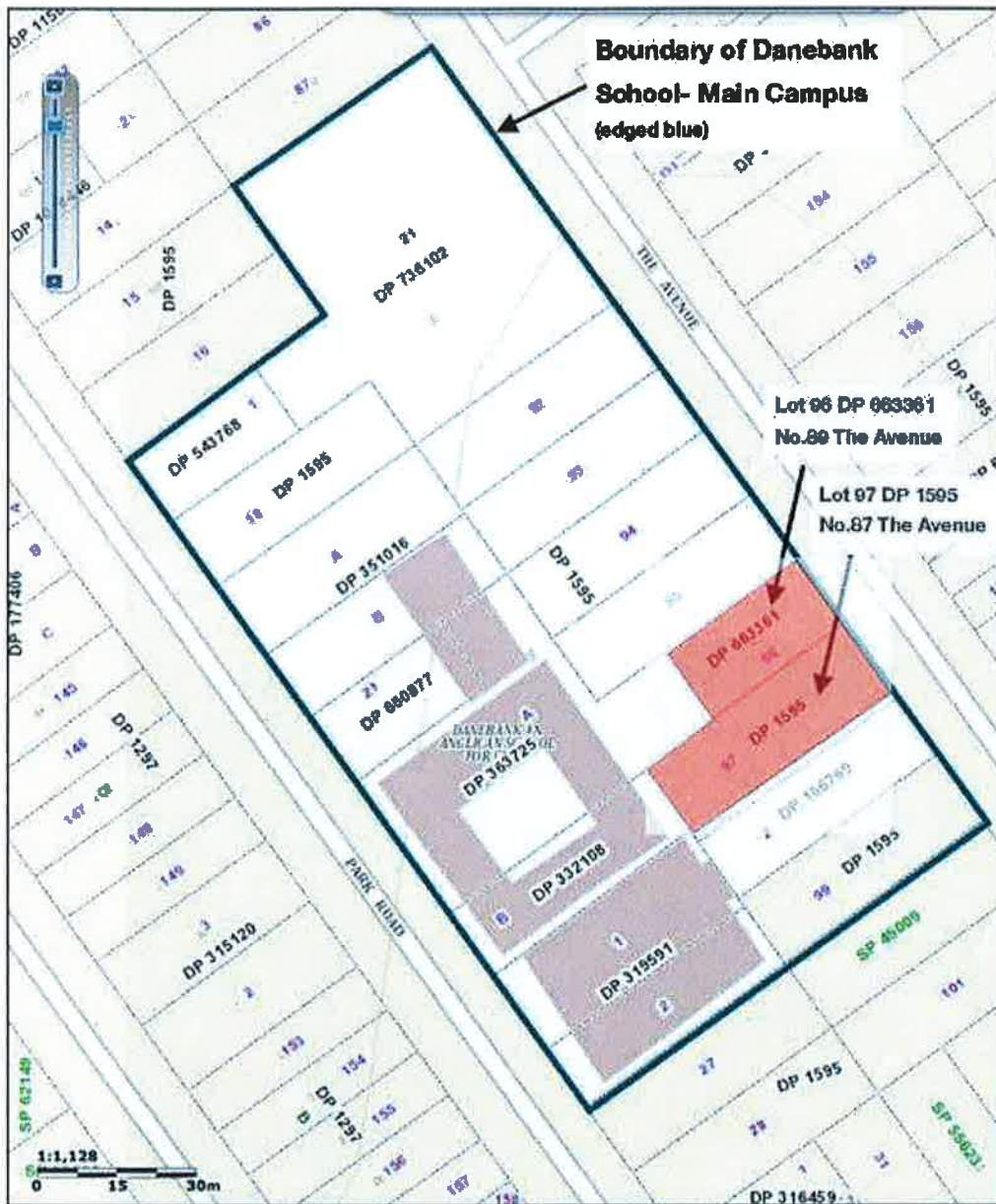


FIGURE 3: Cadastral Plan of Danebank School & Land Proposed to be Rezoned SP2 Infrastructure- Educational Establishment (shaded claret red)

(Map Base Source: NSW (pi Six Maps)



1.3 Land Proposed to be Rezoned and Surrounds

Land Proposed to be Rezoned:

Danebank School services students from a wide geographical area, chiefly from the St George and Sutherland Shires. Danebank's central location in Hurstville provides easy access to train and bus transport. The existing school comprises a number of parcels of land located between Park Road and The Avenue, at Hurstville.

The land parcels at No. 87-89 The Avenue comprise two single storey dwelling houses that are currently listed as items of local significance, converted and used for educational purposes as part of the ongoing operations of the school site.



PHOTOGRAPH: Single storey building at No.87 The Avenue, approved for and converted to school uses. View from The Avenue. Source: Outline Planning Consultants

*Rezoning of school owned land at Danebank School
87-89 The Avenue, Hurstville NSW*

Planning Proposal Report



PHOTOGRAPH: Single storey building at No.89 The Avenue, approved for and converted to school uses. View from The Avenue. Source: Outline Planning Consultants

Both land parcels of land are currently zoned Residential under the 2012 LEP, notwithstanding the use of each parcel for school-related purposes and Council consents for these uses to be carried out on the land. Both land parcels are heritage-listed under the LEP.

- Lot 97 in Deposited Plan 1595, at No.87 The Avenue, has an area of 714.58m².
- Lot 96 in Deposited Plan 663361, at No.89 The Avenue, has an area of 473.79m².

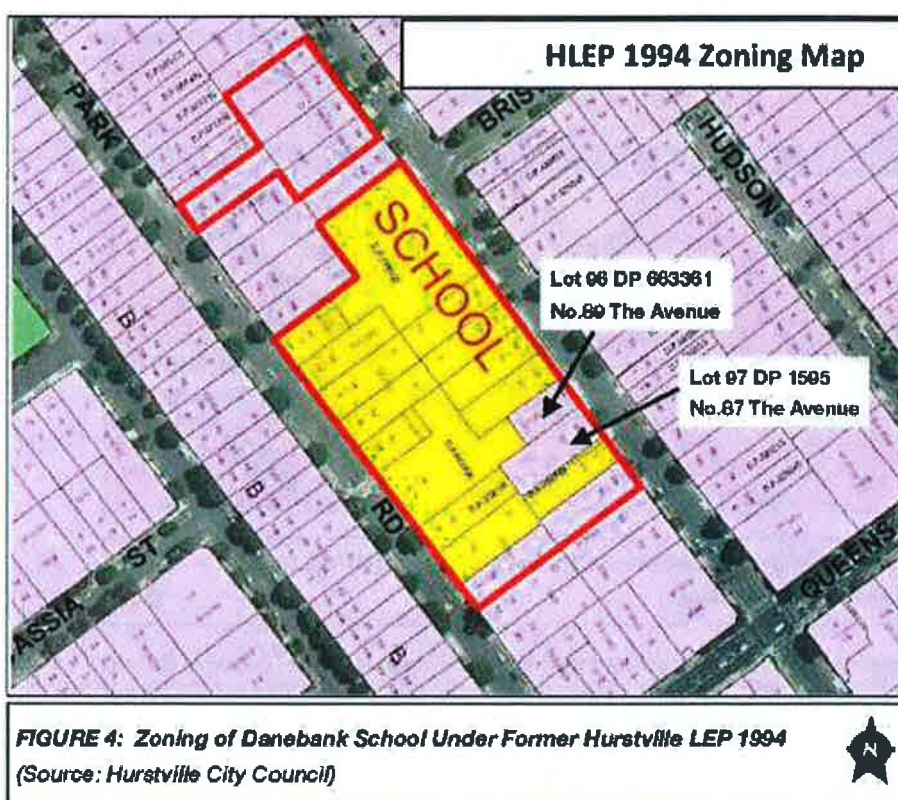
During preparation of the draft Hurstville LEP Council had resolved to rezone the Danebank School lands zoned at the time Special Uses 5(a) School under the then Hurstville LEP 1994 to SP2 Infrastructure for the following reasons, including:

- Recognition of the existing use of the 5(a) zoned land for the purpose of a school.
- The SP2 zoning to be retained until such time as Council is satisfied that the sites are suitable for rezoning and a change in land use.

- If zoned residential, potential for reduced opportunity for public consultation on future land disposal and development of sites, as well as potential impact on Council resources such as public open space as a consequence of any future disposal of school sites and playing fields.

Refer to accompanying Figures 4 & 5.

Subsequently, the (then) the Department of Planning & Infrastructure advised Council that it was able to maintain the proposed zoning of SP2 Infrastructure over the Danebank School site in submitting the draft LEP 2011 for finalisation to the Department.



No decision was made at that time to rezone school-owned lands not zoned Special Uses 5(a) School, including the lands at No. 80 Park Road and No. 83 The Avenue, zoned residential at that time.

This zoning anomaly was thus retained with the gazettal of the 2012 LEP. [NOTE: Educational establishments" (ie. schools) a permissible use in the Residential zone under the 1994 LEP. Now a prohibited use under the 2012 LEP]

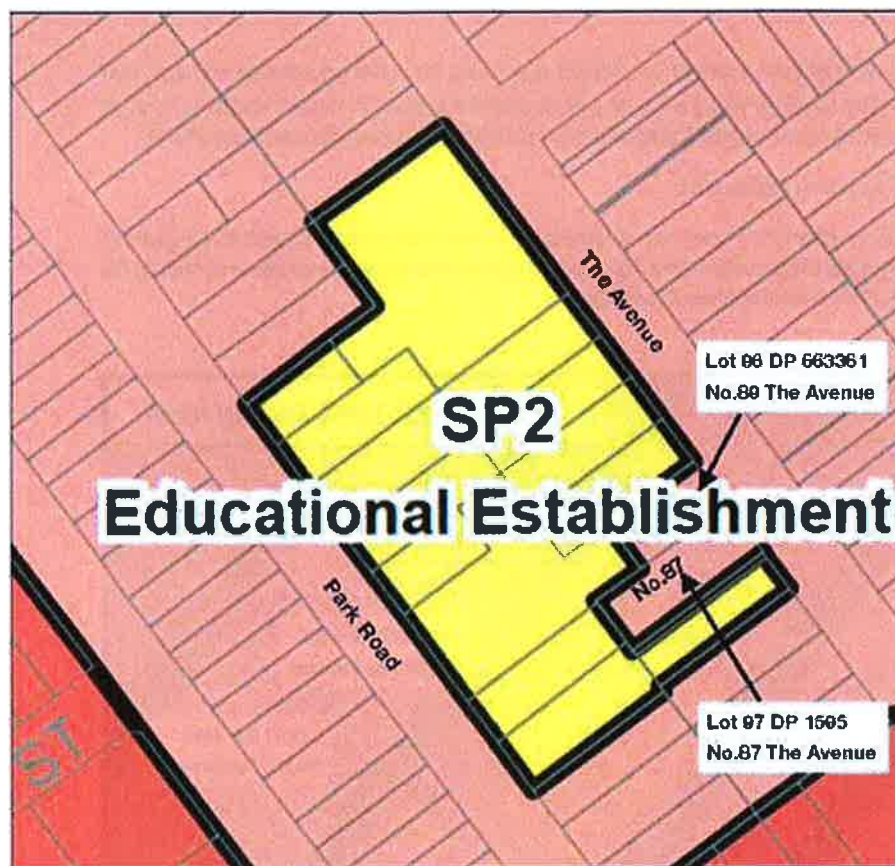


FIGURE 5: Current Zoning of Danebank School Under Hurstville LEP 2012
 (Source: Hurstville City Council)

The land proposed to be rezoned is currently used for Council-approved school purposes. Refer to Section 1.2 of this report for more details. Land zoned R2 Low Density Residential has a numerical height control of 9 metres and an FSR limit of 0.6:1.

Sydney Anglican Schools Corporation (SASC):

Established in 1947, the Sydney Anglican Schools Corporation (SASC) currently operates 20 schools with approximately 11,000 students spread from preschool to Year 12 throughout the metropolitan Sydney area, the south coast and regional NSW. It includes Danebank School. There has continued to be a strong interest expressed by the general public in enrolling students in the SASC schools, including Danebank School.

The schools help to serve the needs of the surrounding populations throughout metropolitan Sydney.

The Corporation's schools are structured to be accessible and affordable to as many students as financially possible. Enrolment is open to all students and fees are kept as low as possible. The school aim is to provide a very high quality education in a caring Christian environment.

Relationship to Danebank School Master Plan:

The Danebank School for Girls has adopted an overarching master plan for the staged redevelopment of the existing school campus. The Master Plan the Danebank School campus site represents a commitment of the SASC to meeting the demand for high quality educational facilities at it's schools. Refer to accompanying Figure 6 showing the School's proposed staging plan.

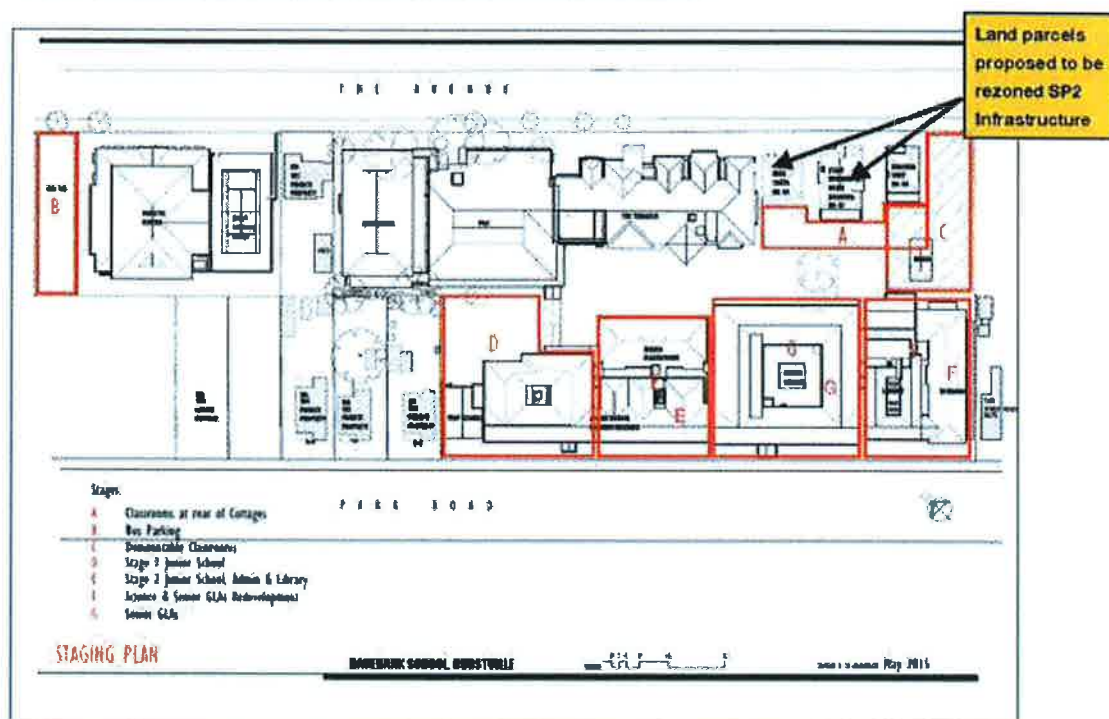


FIGURE 6: Danebank School Redevelopment -Staging Plan & Rezoning Proposed
 (Source: Butler & Co. Architects)

In essence, the school Master Plan involves the upgrading and redevelopment of existing school buildings on Park Road, including the rear of the land at No.85-89 The Avenue (marked "A" and "C" on the accompanying staging plan).

The Master Plan stages comprise the following:

- **Stage A: New Junior School building.** The original application for this proposed upgrade of the school was rejected by the JRPP and a new development concept was discussed with Council town planning officers in mid-2015. Currently in preparation.
- **Stage B: Relocated school bus parking facility.** In order to enable the redevelopment of Stages A, C and D, a relocation of the existing bus parking facility is required, from No.83-85 The Avenue to No.113-115 The Avenue. A development application in support of this relocation was lodged with Council on 16 June 2015 (DA2015/0201) and consented to in October 2015. A Section 96 modification application was lodged in November 2015.
- **Stage C: Temporary demountable school buildings.** Before the planned redevelopment of the Junior School fronting Park Road can proceed there is a need for Junior School students to be re-housed in proposed school demountables at No.83-85 The Avenue. A development application in support of this relocation was lodged with Council on 12 June 2015 (DA2015/0198) and consent granted on 6 November 2015.
- **Stage D: Redevelopment of Junior School.** Planned redevelopment of the Junior School fronting Park Road.
- **Stage E: Next stage of redevelopment of Junior School.** Ongoing redevelopment of the Junior School fronting Park Road.
- **Stage F: Redevelopment of Senior School.** Redevelopment of the Senior School fronting Park Road, including the land at No. 80 Park Road the subject of this planning proposal.
- **Stage G: Redevelopment of Senior School.** Ongoing redevelopment of the Senior School fronting Park Road.

It is intended that Stages E & G will be for taller school buildings housing new and expanded educational facilities for the School. It is recognised that the achievement of all the features described in the master plan may require years, but the plan should be seen as a durable development blueprint to guide progressive, future capital investment within the school campus.

The proposed rezoning will not result in the generation of the demand for any additional on-campus traffic or parking facilities.

Heritage Listing of the Subject Lands:

The land the subject of this planning proposal is heritage listed under the LEP. The subject land has been assessed by Graham Brooks & Associates in a report entitled "85-89 The Avenue, Hurstville Options Analysis and Statement of Heritage Impact" dated February 2014, as summarised in the following. Council already has already been furnished with a copy of this report.

The two buildings at 87-89 The Avenue are listed as local heritage items (items 151 and 152) in Schedule 5 of the Hurstville Local Environmental Plan (LEP) 2012- refer Figure 7. As such, the site is subject to the heritage provisions of the LEP.

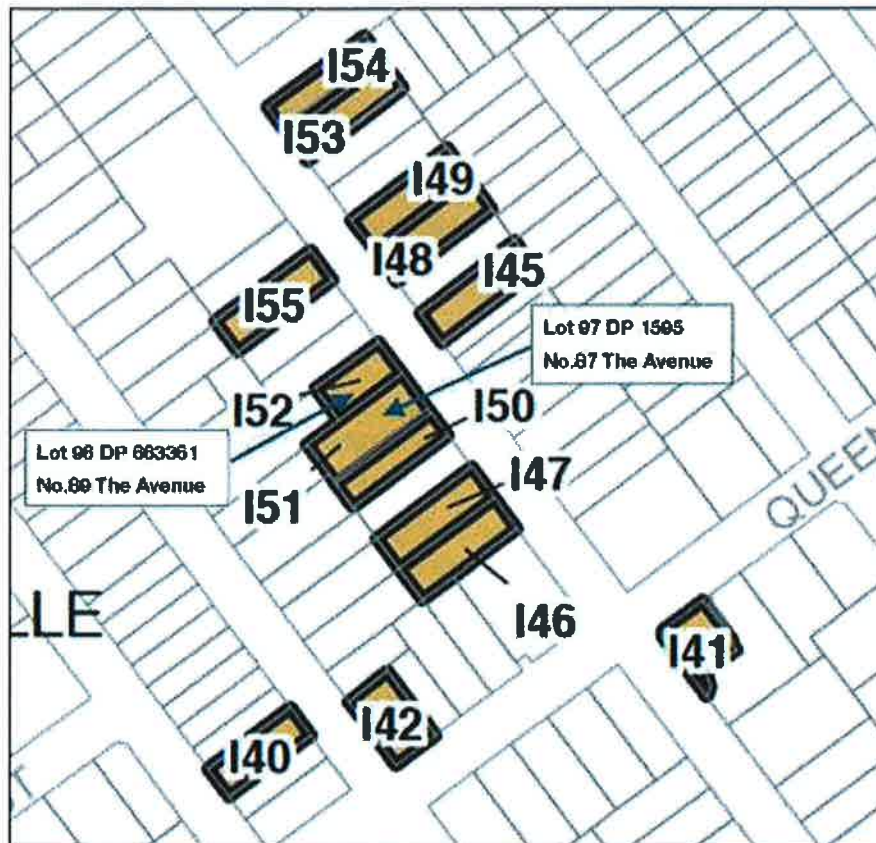


FIGURE 7: Excerpt Hurstville LEP 2012 Heritage Map & Subject Lands Proposed to be Rezoned SP2 Infrastructure

(Source: Hurstville City Council LEP Heritage Map Sheet HER_008)



No. 87 The Avenue, 'Oikos'

Currently erected on the land at No.87 The Avenue is a detached, substantial single-storey face brick Federation cottage constructed in 1910-1911 and apparently designed to have three bedrooms.

"It features a slate roof with multiple forms and complex massing, and terracotta ridge capping and details. The chimney is face-brick with a stucco cornice and topped with a terracotta chimney pot. Windows are of typical Federation-era style, with multi-paned timber framed sashes in the upper panes and a single pane in the lower sash. Overall the dwelling is complemented by various Arts and Crafts detailing across its exterior, with much of its streetscape presentation obscured by garden plantings. It has a well executed entrance with leadlight panels and bulls-eye window in Art Nouveau style.

The property is separated from the public domain by contemporary brick fencing erected by Danebank School.

Internally, the building has been modified with the removal of many of the internal walls, opening up the building for use by Danebank School. Remnant original elements include joinery with typical Federation details, ceilings, cornices, and three marble fireplaces."[NOTE: use of the building for school purposes, including internal renovations, approved by Council in March 1997]

(Source: Graham Brooks & Associates op cit)

No. 89 The Avenue, 'Sylvan'

Currently erected on the land at No.879 The Avenue is a detached single-storey dwelling of face brick with a tiled, hipped roof.

"The modest dwelling features a bay window on its principal elevation, a secondary roof form, boxed eaves and multi-paned windows. The principal entrance to the building is via a small porch framed with dark brick arches, which frame the timber framed glazed multi-paned door.

To the rear, the building has a lean-to serving as a service zone in addition to a verandah and WC.

Internally, the building has been modified, with alterations to the internal spatial room arrangement as well as upgrades to areas such as the bathroom following acquisition by the school and its subsequent fitting out as a kindergarten. Some original joinery is still extant, and there is Art Deco detailing in several cornices. Overall, the building has diminished integrity owing to the repeated changes to the fabric, but presents to the streetscape as a typical dwelling constructed during the 1930s as reflected in its mix of Federation and interwar architectural elements."

[NOTE: use of the building for school purposes, including internal renovations, approved by Council in December 1995]

(Source: Graham Brooks & Associates op cit)

Surrounding Development

The subject lands form a functional part of the Danebank School campus. The school itself contains generally two to three storey buildings, with an internal open space area within the central spine of the school campus.

The Junior and Senior School buildings are the dominant land use within the Park Road and The Avenue streetscape with 2-3 storey administration and classroom buildings extending along Park Road, with a Design and Technology building called "The Terraces", a Drama and Performing Arts Centre and Gymnasium, ancillary school buildings and school bus parking area fronting The Avenue. The Danebank College Aquatic Centre, comprising an indoor swimming pool, multi purpose sports court and carpark under also fronts The Avenue, a short distance away, to the north. Refer accompanying Figure 8.

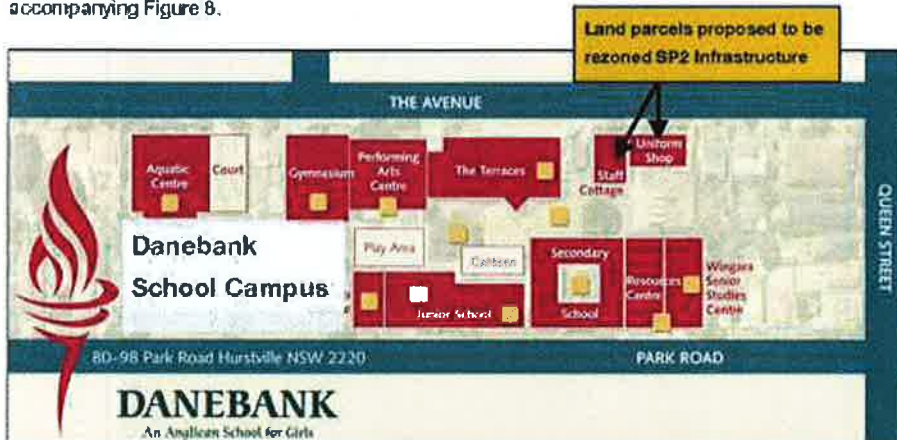


FIGURE 8: Danebank School Campus & Subject Lands Proposed to be Rezoned SP2 Infrastructure (Source: Danebank School)

Opposite the subject lands are mainly single detached dwellings of one and two storeys in height, reflecting a mix of architectural styles.

"The buildings feature a mix of architectural character and styles, including modest Victorian houses, Federation cottages- both weatherboard and brick, Interwar bungalows, and modern (post-WWII) one and two-storey houses. Many of the houses have been altered, or had additions to the rear or at first floor level. As a result, there is no consistency of scale or form among the buildings. The comparative heights of some of the buildings are also affected by the topography of the street - the houses on the northern side of the street generally sitting lower than their southern counterparts."

To the south of the subject lands are residential land uses- a residential flat building abutting No.80 Park Road and a dual occupancy development adjoining No.83 The Avenue.

The Avenue has a number of other heritage-listed properties- refer Figure 9.

Further south are single detached dwellings with multi-storey residential flat buildings becoming more widespread the closer one gets to the Hurstville City Centre. The commercial centre of Hurstville is characterised by high-rise flats, shopping and office facilities, as well as rail and bus hubs. This centre is proximate to the School, being approximately 450m away. Secondary students attending Danebank School have a specified walking route between the train station and the school.

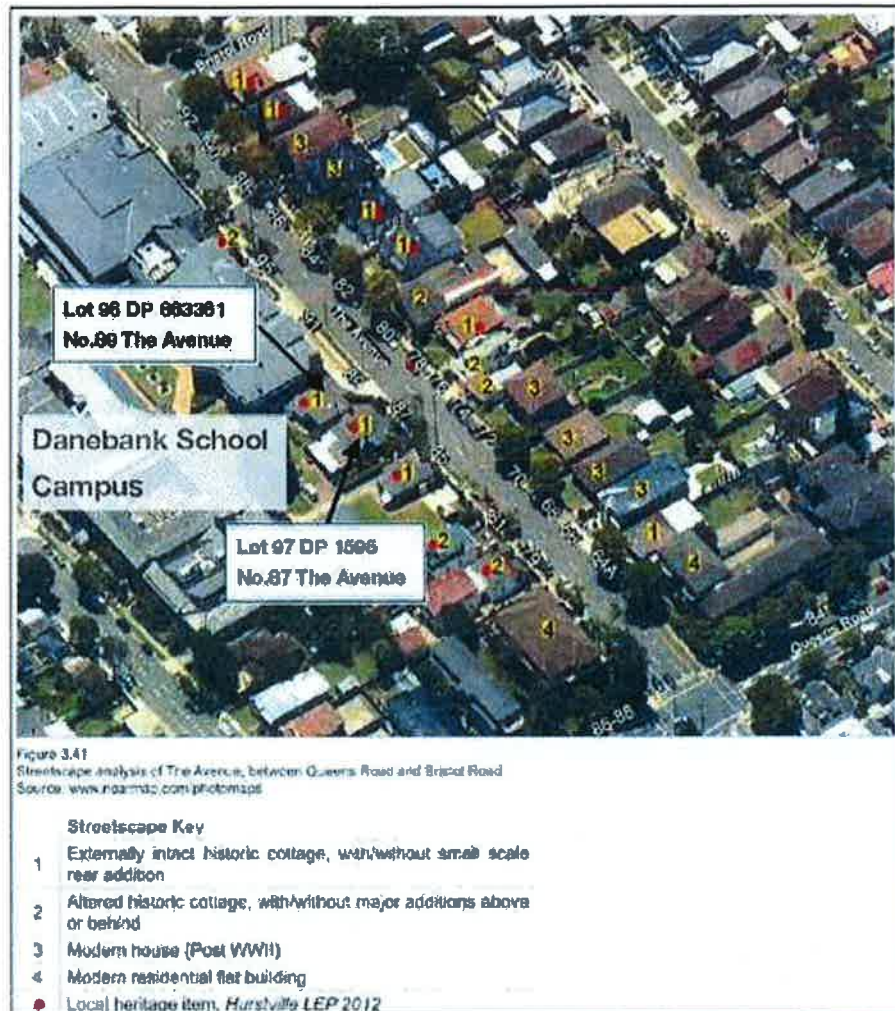


FIGURE 9: Aerial View of Subject Lands & Nearby Heritage-Listed Properties
 (Source: Graham Brooks & Associates 2014. Numbers indicate height of building)

1.4 Issues Addressed in this Planning Proposal

The format of this Planning Proposal report is based on and complies with Department of Planning & Environment's A Guide to Preparing Planning Proposals (October 2012) and A Guide to Preparing Local Environmental Plans (April 2013).

This Planning Proposal includes the following:

- Proposed LEP amendment.
- Consideration of any relevant section 117 directions, where appropriate.
- The reasons why the draft LEP or planning proposal is being prepared including the planning merits of the proposal.
- The current and proposed zoning of the land and the reasons for the rezoning including how this relates to Council's strategic framework and the proposed future use of the land.
- The School's history of ownership of the land and the nature of its interest in the land.
- Relevant matters required in plan making under the *Environmental Planning and Assessment Act 1979* (EP&A Act).
- The anticipated project (i.e. rezoning) timeline.

2 Objectives & Intended Outcomes

2.1 Objectives

Under the provisions of Section 55(1) of the Environmental Planning and Assessment Act 1979, an explanation of what is planned to be achieved by the proposed amendments to the Hurstville Local Environmental Plan 2012 is required. This explanation requires an understanding of:

- Existing town planning controls applicable. Refer Section 1.3 for details.
- The outcome of rezoning the site, following rezoning and reclassification of the site.

The overarching purpose of the planning proposal is to enable an amendment to the existing Hurstville Local Environmental Plan 2012 such that the subject land parcels at No.87-89 The Avenue are rezoned from R2 Low Density Residential to SP2 Infrastructure- Educational Establishment.

2.2 Intended Outcomes

The intended outcomes of the Planning proposal may be summarised as follows:

- The proposed SP2 zoning will be consistent with the zoning applicable to the adjoining Danebank School campus- a good town planning outcome.
- The rezoning amendment will facilitate rationalisation of educational facilities for Danebank School and achieve a logical, consistent land use zoning of the school campus. This will also provide a uniform SP2 zone along the Park Road frontage of all of the school-owned lands.
- The proposed rezoning will zone the lands SP2 Infrastructure Educational Establishment, reflecting the approved use of the land, allowing land uses that are a part of the school's special use (SP2) purpose. It will enable existing school buildings at No. 87-89 The Avenue to be rezoned to one reflecting current, approved school-related uses on these lands.
- Moreover, it removes a zoning anomaly (ie. residential zoning) currently applicable to the subject lands.
- It will create certainty for the local community in relation to the retention of community (educational) assets. It will also support the social, community and educational needs of the community.
- It will ensure that sufficient zoned land for educational establishments are provided and available for the existing and future residents of the Hurstville LGA.
- It will retain and preserve existing community education assets (primary and secondary) within the Hurstville City LGA.

3 Explanation of Provisions

Under the current SP2 Infrastructure zoning for Danebank School site no FSR, building height, minimum lot size or building height restrictions apply. Accordingly, and in order to integrate with the planning controls applicable to the school campus, the Planning Proposal seeks the following site specific amendments to the Hurstville Local Environmental Plan 2012:

- Amend Map Sheet LNZ_008, to show a SP2 Infrastructure- Educational establishment zoning apply to Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue, Hurstville. Refer Figure 5, showing the existing zoning of the subject lands, and Figure 8 showing the zoning proposed.
- Amend Heights of Buildings Map Sheet HOB_008, to remove any height limit applicable to Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue, Hurstville.
- Amend Floor Space Ratio Map Sheet FSR_008, to remove any height limit applicable to Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue, Hurstville.
- Amend Lot Size Map Sheet LSZ_008, removing any minimum lot size applicable to Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue, Hurstville.

No other changes to the Hurstville LEP 2012 written instrument are proposed as part of this Planning Proposal.

In particular, no changes are proposed to Hurstville City Council LEP Heritage Map Sheet HER_008 - the heritage listing of both properties to be retained as is.

4 Justification

This section of the Planning Proposal report details the reasons for the proposed outcomes and is based on a series of questions/points as outlined in the following Department of Planning and Environment's guidelines *A Guide to Preparing Local Environmental Plans* (April 2013) and *A Guide to Preparing Planning Proposals* (October 2012). For completeness, the questions posed in regard to planning proposals in general are also addressed in the following, to the extent that they are relevant.

4.1 Section A - Need for Planning Proposal

Q1: Is the planning proposal a result of any strategic study or report?

No. There are no specific strategic studies or reports relating to the preparation of this planning proposal. The planning proposal does not generate any significant implications in terms of findings and recommendations of major strategic planning studies. The undertaking of the amendments to Hurstville Local Environmental Plan 2012 is primarily an administrative and mapping exercise.

It is forecast that the Hurstville City population will grow from 82,640 persons (2011) to 104,027 persons by 2036, a growth of 21,387 residents or 25.8%. Importantly, the school-age population of the LGA (ie.0-19 age group) is forecast to grow from 19,202 (2011) to 21,312 persons (2036) in this age group. This is an additional of 2,110 persons, which represents an increase of 16.7%. Based on the statistical evidence, it is essential that the educational establishments be retained and preserved within the Hurstville LGA to ensure sufficient educational establishments are provided for the existing and future residents.

The Planning Proposal is the result of decision by the Sydney Anglican Schools Corporation and Danebank School to seek Council's support to rezone Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue from R2- Low Density Residential to a proposed SP2 - Educational Establishment zoning.

SP2 zones for schools and churches have been accepted in many Council areas, including Hurstville and for Danebank School. The use of the SP2 zoning emphasises the importance to the community of retaining important educational uses for the broader community. In recognition that development controls used to control development in residential zones are inappropriate, these standards are not routinely applied to SP2 sites.

The importance of uses such as schools is recognised in planning legislation by incorporating controls in *State Environmental Planning Policy (Infrastructure)* 2007. This SEPP contains a wide range of development controls applicable to the development of schools, including controls on building height, landscaping, overshadowing and setbacks.

Q2: Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the appropriate means of achieving the objectives and intended outcomes, as it involves a statutory amendment to the Hurstville Local Environmental Plan 2012.

The proposed zoning (i.e. SP2 - Educational Establishment) is consistent with other councils located in Sydney including:

- Botany (all schools, planning proposal recently approved at Gateway in March 2014 to rezone all schools in the LGA SP2 Infrastructure- Educational Establishments).
- Rockdale eg. rezoning of land at 50A Francis Avenue, Brighton Le Sands from RE2 Private Recreation to SP2 Infrastructure (School). Approved by Minister in August 2013.
- Randwick (all schools).
- Waverley eg. St Catherine's Waverley, zoned SP2 Infrastructure under Waverley LEP 2012.
- North Sydney- all schools zoned SP2 Infrastructure under the North Sydney LEP 2013.
- Ashfield (all schools) e.g. Trinity Grammar School, at Summer Hill, zoned SP2 Infrastructure. A planning proposal by Ashfield Council to rezone land predominantly owned by Presbyterian Ladies' College (PLC Sydney) from R2 Low Density Residential and B2 Local Centre to SP2 Infrastructure (educational establishment) to reflect the consistent use of SP2 zone for Schools across the Ashfield LGA and to facilitate the development of a new Junior School received Gateway approval in January 2015.
- City of Sydney e.g. St Paul's College, University of Sydney, zoned Special Uses 2-Educational Establishment (SP2).
- Ku-Ring-Gai (all schools) e.g.. Brigidine College at St Ives, zoned SP2- Educational Establishment under Ku-Ring-Gai LEP 2015.
- Marrickville- all schools zoned SP2 Infrastructure- Educational Establishments, in LEP amendment in 2013.
- Parramatta. A planning proposal to rezone 163-165 George Street, Parramatta (the former Parramatta Workers Club) from zone RE2 Public Recreation to SP1 Special Uses (Place of Public Worship/ Educational Establishment) received Gateway approval in November 2014.
- Willoughby e.g. Chatswood High School. A planning proposal by Willoughby Council to rezone even more school sites in the LGA received Gateway approval in January 2015.

In addition to the above, a number of Anglican Schools in or around Sydney have similar or the same zoning, including:

- Richard Johnson Anglican School, Oakhurst. Blacktown LEP 2015 - Zoned SP2 with notation "Educational Establishment & Place of Public Worship".
- Glenwood Anglican College, Glenwood, Blacktown LEP 2015 - Zoned SP2 with notation "Educational Establishment & Place of Public Worship".

4.2 Section B - Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is not inconsistent with relevant strategies. The amendments proposed are mostly administrative and will have a no impact on these objectives and actions. The Planning Proposal assists in providing better educational infrastructure for the locality and the region by facilitating consolidation of zoning controls applicable to an existing educational establishment.

▪ **Hurstville Local Environmental Plan 2012** - The Planning Proposal reflects the zoning of the existing Danebank School campus (ie. SP2 Infrastructure- Educational establishments). The proposed zoning will reflect the existing, Council-approved school uses already established on the subject lands. Given the existing use of the land for school-related purposes, there will be no net loss in potentially available residential land in the Hurstville LGA as a consequence of the rezoning.

▪ **Draft Metropolitan Strategy for Sydney to 2031** - The Draft *Metropolitan Strategy for Sydney 2031* ("The Draft Metropolitan Strategy") is the latest blueprint for Metropolitan Sydney and replaces the Metropolitan Strategy City of Cities - A Plan for Sydney's Future. The Metropolitan Strategy does not establish objectives that specifically relate to social infrastructures or educational establishments. Hence, the Planning Proposal is not inconsistent with the draft Metropolitan Strategy.

▪ **Metropolitan Plan for Sydney 2036** - The *Metropolitan Plan for Sydney 2036* establishes a long-term planning framework to manage Sydney's growth in a sustainable manner and strengthen its economic development whilst enhancing the unique lifestyle, heritage and environment of Sydney. The Planning Proposal accords with the following general planning objectives:

- **Objective B1** - To focus activity in accessible centres. Achieved. The Danebank School is adjacent to the Hurstville City Centre and to transport hubs.
- **Objective E1** - To ensure adequate land supply for economic activity (in this case, for educational purposes), investment and jobs in the right location. Achieved. The Danebank School has been established since 1933 and is one of the largest private schools in the Hurstville LGA. The Planning proposal allows for the consolidation of the school site and will facilitate further, logical upgrades of the school in the future in response to forecast student needs.
- **Objective H2** - To ensure appropriate social infrastructure and services are located near transport, jobs and housing. Achieved.
- **Action H2.1** - Plan and coordinate the effective and timely provision of social infrastructure and services. Achieved. The school comprises a significant element of the social (educational) infrastructure of Hurstville.

Hence, the Planning Proposal is generally consistent with the relevant provisions of the Metropolitan Plan for Sydney 2036.

Q4. Is the planning proposal consistent with a Council's local strategy or other local plan?

The Planning Proposal is generally consistent with Council's Community Strategic Plan 2021, and in particular:

- Providing economic prosperity to the LGA and providing quality school facilities for the well-being and benefit of current and future residents (Section 1, Section 5.1, 5.2 and 5.4).
- It will ensure sufficient educational establishments are provided for the existing and future residents (population growth figures referred to in Section 3 of the Strategic Plan).

Q5. Is the planning proposal consistent with applicable state environmental planning policies?

The Planning Proposal is consistent with applicable state environmental planning policies. Refer to accompanying Table 4.1.

Table 4.1 – Consistency with State Environmental Planning Policies (SEPPs)

State Environmental Planning Policy	Consistency
SEPP No 1—Development Standards	Repealed by clause 1.9 of Hurstville LEP 2012
SEPP No 19—Bushland in Urban Areas	Not applicable
SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP
SEPP No 55—Remediation of Land	Consistent. The Planning Proposal does not hinder the application of this SEPP
SEPP No 60—Exempt and Complying Development	Consistent
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable. Any future school development will not need to comply with these requirements
SEPP (Infrastructure) 2007	Consistent. Will apply to all future development on the land. The planning proposal will not deter the effective delivery of infrastructure across NSW and does not contain provisions that contradict or would hinder future application of this SEPP
SEPP (Exempt and Complying Development Codes) 2008	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP
SEPP Major Development	Not applicable
State and Regional Development 2011	Consistent. The Planning Proposal does not hinder the application of this SEPP

The accompanying Table 4.2 reviews the consistency of the Planning Proposal with relevant Sydney or State Regional Environmental Plans ("REP"), now deemed State Environmental Planning Policies ("SEPP").

Table 4.2 - Consistency with Deemed State Environmental Planning Policies (SEPPs)

Deemed State Environmental Planning Policy	Consistency
REP No. 2 (Georges River Catchment)	Consistent

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s. 117 directions)?

The Planning Proposal is consistent with applicable s117 Ministerial Directions.

The accompanying table below reviews the consistency with the applicable or potentially applicable Ministerial Directions for LEPs under Section 117 of the Environmental Planning and Assessment Act 1979.

Table 4.3 - Consistency with Applicable s.117 Ministerial Directions

2. Environment and Heritage

s.117 Direction Number & Title	Consistency
2.1 Environmental Protection Zones	Consistent. No Environmental protection zones are affected by the Planning Proposal
2.2 Coastal Protection	Not applicable
Heritage Conservation	Not inconsistent. The lands the subject of the Planning Proposal are heritage listed. All heritage-listed buildings on the Danebank School site have been approved for school-related uses. Refer Table 1.1 for history of local council approvals granted for school uses on the Danebank School campus. A heritage impact assessment is required for any any future development applications. No change sought to existing LEP heritage listing/controls applicable to the subject lands. The Planning Proposal does not hinder the application of this direction.

3. Housing, Infrastructure and Urban Development

s.117 Direction Number & Title	Consistency
3.1 Residential Zones	Nominally Inconsistent. The proposal does not retain Residential zoned land however this non-compliance is considered to be of minor significance as the land the subject of this Planning Proposal has been approved/used for school-related (and not residential) purposes for a significant number of years (18 years or more) , following the progressive acquisition of land by the School. School uses were approved in December 1995 (No.89 The Avenue) and March 1997 (No.87 The Avenue). The continued residential zoning of this land is inappropriate as the land is effectively an integral, operating part of the Danebank School campus. There will be no net loss of residential potential over the land as consequence of the Planning Proposal. No reduction in residential activity will occur as a result of the Planning Proposal. Having regard for the above, the Planning Proposal does not hinder the application of this direction
3.4 Integrating Land Use and Transport	Consistent. The site is strategically positioned in terms of proximity to the Hurstville City Centre and public transport. Does not hinder the application of this direction

4. Hazard and Risk

s.117 Direction Number & Title	Consistency
4.1 Acid Sulphate Soils	Consistent. The land has a low/zero probability of containing acid sulphate soils. Planning Proposal does not hinder the application of this direction
4.2 Mine Subsidence and Unstable Land	No mine subsidence. Consistent with unstable land component of s.117Direction. Does not hinder the application of this direction
4.3 Flood Prone land	Not applicable. The subject lands are not affected by flooding. The Planning Proposal does not hinder the application of this direction

s.117 Direction Number & Title	Consistency
4.4 Planning for Bushfire Protection	Not applicable. The subject lands are not located within a bushfire area. The Planning Proposal does not hinder the application of this direction

5. Regional Planning

s.117 Direction Number & Title	Consistency
5.1 Implementation of Regional Strategies	Consistent with relevant provisions of applicable regional strategies- refer Q3

6. Local Plan Making

s.117 Direction Number & Title	Consistency
6.1 Approval and Referral Requirements	Consistent. No additional referral or approval requirements other than in the amendments proposed to the LEP
6.2 Reserving Land for Public Purposes	Consistent. The Planning Proposal does not hinder the application of this direction. No lands are proposed to be reserved for Public Purposes
6.3 Site Specific Provisions	Not applicable.No special site provisions are proposed

7. Metropolitan Planning

s.117 Direction Number & Title	Consistency
7.1 Implementation of the Metropolitan Plan for Sydney 2036	The Planning Proposal is consistent with the aims of the Metropolitan Plan as detailed within the Planning Proposal

4.3 Section C - Environmental, social and economic impact

Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No.

The land is already developed for school buildings and other school-related uses. It has no bushland or likely habitats.

There is no critical habitat on the land the subject of the Planning Proposal.

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal is of minor significance, and it is not envisaged that there will be any adverse environmental effects resulting from the resultant change of zoning of the subject land. No physical works are proposed as a part of this Planning Proposal. No change to existing heritage buildings is proposed. As a result, there will be minimal impacts to the overall school campus or adjoining properties arising from the Planning Proposal.

The use of the land as an educational establishment will remain. Over time, the land will be upgraded and redeveloped in response to the changing needs of the School's students and modern teaching practice. There are no apparent environmental planning issues of such significance as to preclude the Planning Proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

No adverse social or economic effects will as a consequence of the Planning Proposal. The use of the subject land will continue to be for school-related purposes. The heritage controls currently applicable to the subject lands will continue to apply, once rezoned. If any future redevelopment of the land were to occur it will be for school-related uses, undertaken in accordance with design and approval requirements applicable at the time. Any additional school facilities would be to the benefit of both the local and wider community, and to the rapidly growing population of the Hurstville LGA generally.

Safety within the public domain has been addressed with the existing development on the subject lands, with security fencing and other measures already in place. Any future redevelopment, if undertaken, will need to address safety issues and ensure the implementation of Crime Prevention Through Environmental Design measures.

Refer also to Q1 above, which addresses this issue further.

Q.10 Is there adequate public infrastructure for the planning proposal?

This Planning Proposal involves rezoning land currently used for school-purposes to a zoning that reflects the use of the land for schools. There are considered to be minimal implications for existing established infrastructure arising from the rezoning.

- The site is located within a built up urban area in Hurstville with ready access to existing public infrastructure. The Planning Proposal does not seek to increase demand on essential services. No road or services upgradings are required as a consequence of the Planning Proposal.
- Adequate public infrastructure is either available, or is capable of being made available, to serve future school-related development of the subject lands.
- The site is in close proximity to public transport.
- The Planning Proposal will not result in any significant implications for waste management and recycling services.

*Rezoning of school owned land at Danebank School
87-89 The Avenue, Hurstville NSW*

Planning Proposal Report

Q.11 What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination?

State and Commonwealth public authorities will be consulted following the outcomes of the Gateway determination

5 Mapping

Refer to Section 3 of this report regarding mapping changes sought to the existing Hurstville LEP 2012 and accompanying Figure 10.

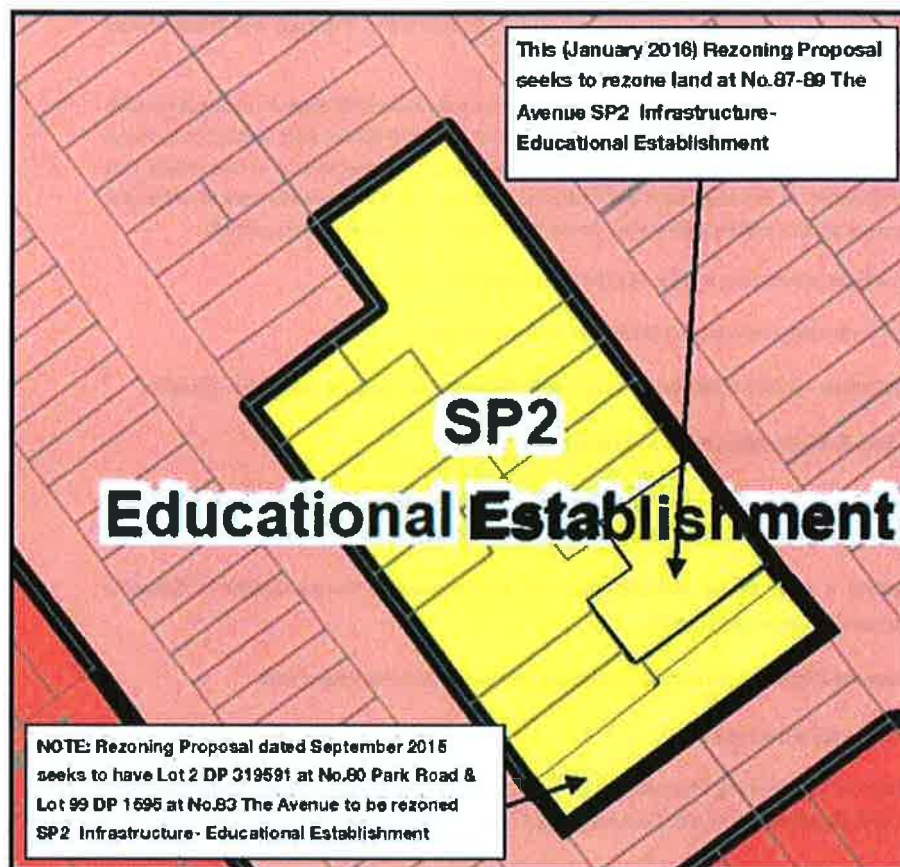


FIGURE 10: Planning Proposal- Subject Lands to be Rezoned SP2 Infrastructure-Educational Establishment

(Map Base Source: Hurstville City Council)

6 Community Consultation

6.1 Community consultation

The Planning Proposal to rezone the subject lands from R2 Low Density Residential to SP2 Infrastructure under the Hurstville LEP 2012 is not considered to be a "low impact" rezoning as defined in Section 4.5 Community Consultation of the Department of Planning and Infrastructure "Guide to Preparing LEP's".

It is recommended the planning proposal be exhibited for a period of 28 days in accordance with section 57 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Exhibition material will contain a copy of the planning proposal and relevant maps, supported by a written notice that includes a description of the objectives and intended outcomes of the proposal, land to which the planning proposal applies and indicative time frame for finalisation of the planning proposal.

Consultation will occur following receipt of a Gateway Determination.

The proposed community consultation to be undertaken comprises:

- **Public Exhibition** - public exhibition of the Planning Proposal for 28 days, entailing notification:
 - In a newspaper circulating in the local area;
 - Forwarding a copy of the planning proposal and the gateway determination to State and Commonwealth government agencies identified in the Gateway Determination;
 - Providing a copy of the planning proposal and supporting documentation at Council's customer service centre at Hurstville;
 - On Hurstville City Council's website, including all relevant documentation; and
 - In writing to adjoining landowners.

Public exhibition of the Planning Proposal will be carried out in accordance with the requirements of the EPA Act, EPA Regulations and the Gateway determination under section 56 of the EP&A Act.

- **Public Hearing** - The Gateway Determination will identify the need, if any, for a public hearing. If required, a public hearing would be conducted following the public exhibition period in accordance with the EP&A Act. Notice of the public hearing would be given after the public exhibition period and at least 21 days before the date of the hearing.

6.2 Project timeline

Section 5.5.7 of the NSW Department of Planning & Environment's *A Guide to Preparing Local Environmental Plans (April 2013)* sets benchmark timeframes for various types of LEPs where they are consistent with the State's strategic framework.

A benchmark timeframe for spot rezonings- like this planning proposal- of up to about 10-11 months is possible (depending on the need for a public hearing).

Based on the above, a possible project timeline for completion of the Planning Proposal is outlined in Table 6.1.

Table 6.1: Planning Proposal Project Timeline

Task	Anticipated timeframe
1. Lodgement of Planning Proposal with Hurstville City Council	Allow 1-2 months assessment by Council
2. Planning proposal submitted to Gateway	
2. Gateway Determination	Allow 2 months from lodgement with Department of Planning & Environment
2. Government agency consultation (pre-exhibition as required by Gateway Determination) + commencement and completion dates for public hearing. Public hearing held	Allow 3 months
3. Council consideration of submissions, report from public hearing and Planning Proposal post exhibition	Allow 2 months
4. Council exercises its plan making delegated powers to make LEP for reclassification of the land. New LEP amendment gazetted	Allow 2 months

7 Conclusions

In summary, the Planning Proposal seeks the following amendments to the Hurstville LEP 2012 over the subject lands, comprising Lot 97 DP 1595 at No. 87 The Avenue and Lot 96 DP 663361 at No. 89 The Avenue, Hurstville:

- Rezone the subject lands, currently lawfully used (and approved) for school purposes, from R2 – Low Density Residential to SP2 Infrastructure – Education Establishment; and
- Delete the existing height of buildings, minimum lot size, and floor space ratio LEP controls over the land to be rezoned, in conformity with the Hurstville City Council's existing SP2 Infrastructure – Education Establishment zoning controls.
- Retain the existing LEP heritage controls and mapping applicable to the above land, including identification as local heritage items.

The Planning Proposal is generally consistent with relevant planning strategies, instruments and directions and will have minimal environmental impact.

The rezoning will not lead to any effective loss of residential land given that the subject land has been owned and used by Danebank School for school-related purposes for more than 18 years. As a result, no reduction in the actual area of land potentially available for residential purposes occurs. The Planning Proposal will not affect Council's ability to meet housing targets for the Hurstville LGA.

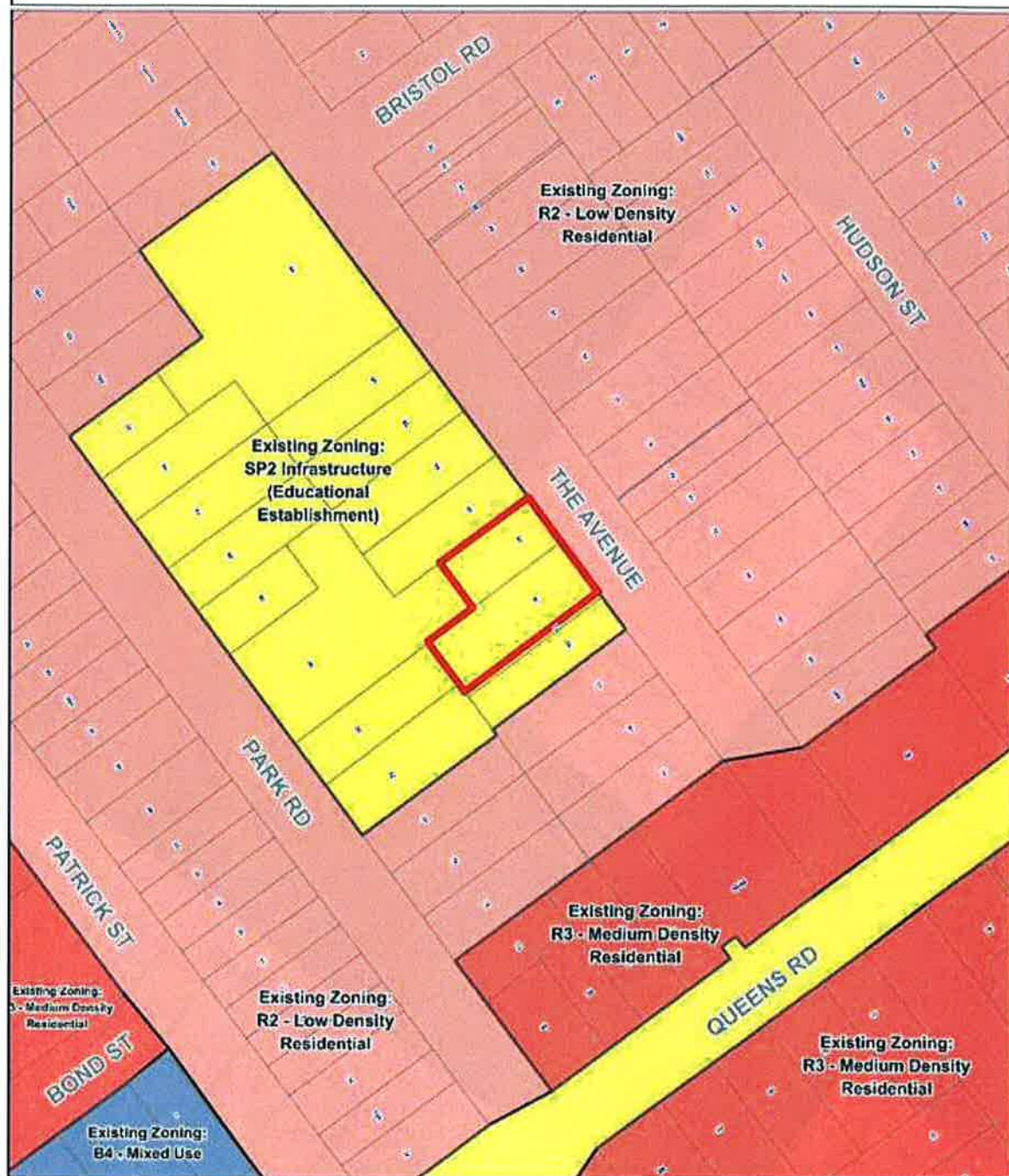
Similar, flexibility has been applied to the zoning of school sites in a number of Standard Instrument LEPs across the Sydney Metropolitan Region, where Councils have been permitted to zone schools as SP2 (Educational Establishments) to ensure these school sites are retained within the LGA as a essential community asset.

The main campus of Danebank School is already zoned SP2 Infrastructure- Educational Establishment and this planning proposal will bring consistency to the zoning of the School. The continued residential zoning of the subject land is inappropriate as it already effectively serves as a functional part of the Danebank School campus.

The rezoning of the subject lands SP2 Infrastructure-Educational Establishment will provide long-term certainty to the existing Danebank School as well as provide for the current and likely future need for educational facilities in the Hurstville LGA.

Having regard to the above the Planning Proposal is considered worthy of support.

Planning Proposal - Proposed Zoning Map Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend

Subject Site

LEP 2012 Zones

- | | | | |
|---|----------------------------|--|-----------|
| R2 | Low Density Residential | B4 | Mixed Use |
| R3 | Medium Density Residential | | |
| SP2 | Infrastructure | | |



Hurstville
City Council

Planning Proposal - Proposed Lot Size Map Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend

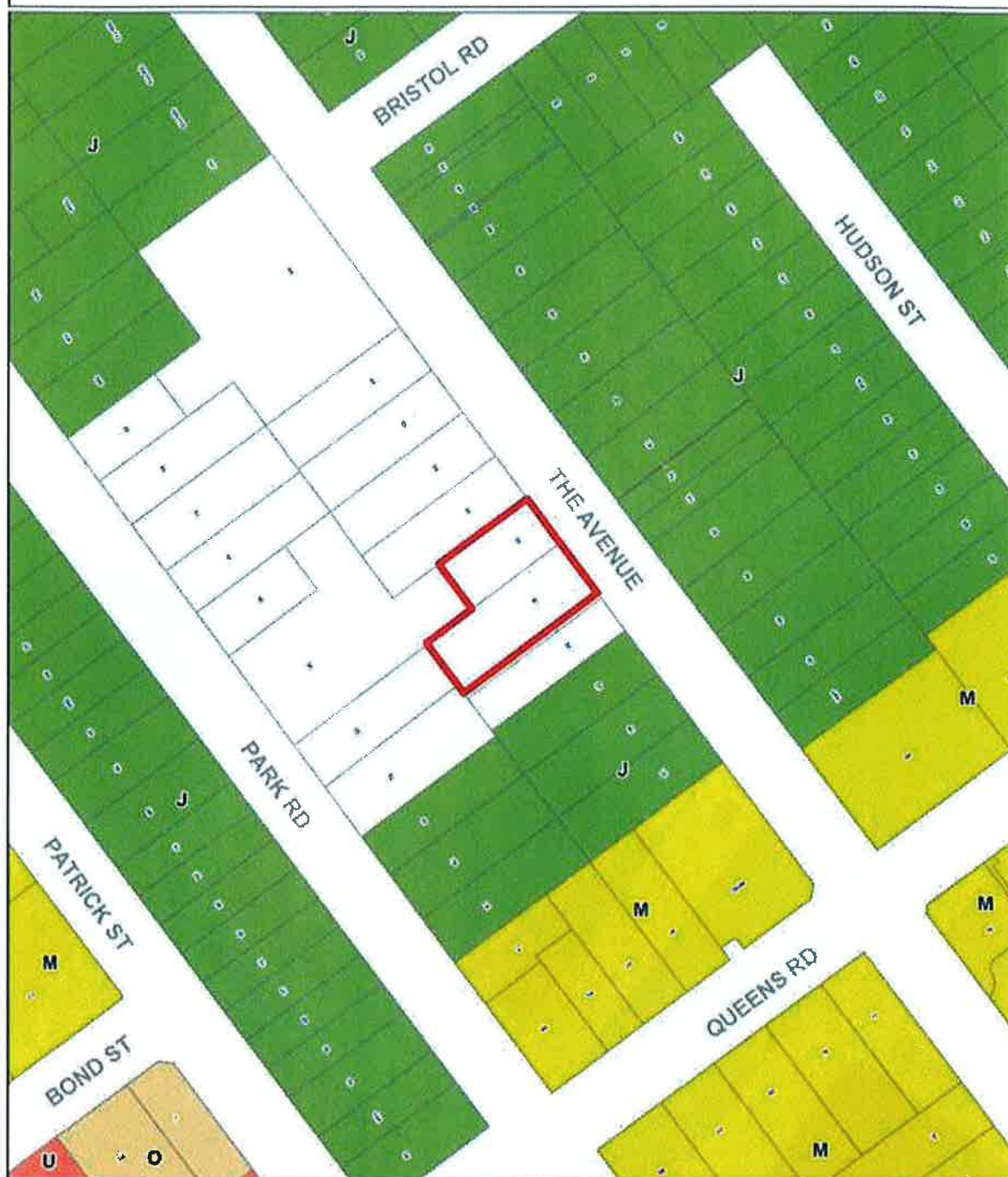
Subject Site

LEP 2012 - Minimum Lot Size

450 sq m



Planning Proposal - Proposed Height of Buildings Map Danebank School - Part No.87 and No.89 The Avenue, Hurstville



Legend

 Subject Site

LEP 2012 - Maximum Building Height (m)

 9	 15
 12	 30



Hurstville
City Council

Planning Proposal - Proposed Floor Space Ratio Map Danebank School – Part No 87 and No 89 The Avenue, Hurstville



Legend

 Subject Site

LEP 2012 - Maximum Floor Space Ratio (n:1)

 F	0.6	 V	3.0
 N	1.0	 X	4.0



State Environmental Planning Policies

The following is a list of State Environmental Planning Policies (SEPPs) that apply to the Subject Site and consideration of the Planning Proposal's consistency with the objectives and provisions of the SEPPs.

State Environmental Planning Policy	Applicable	Consideration
<i>SEPP No.1 – Development Standards</i>	Not applicable to Hurstville.	Repealed by clause 1.9 of Hurstville LEP 2012.
<i>SEPP No.14 – Coastal Wetlands</i>	Not applicable to Hurstville.	--
<i>SEPP No.15 – Rural Landsharing Communities</i>	Not applicable to Hurstville.	--
<i>SEPP No.19 – Bushland in Urban Areas</i>	Not applicable to the Planning Proposal.	The Subject Site is located within the established urban area of Hurstville in the existing Danebank School campus.
<i>SEPP No.21 – Caravan Parks</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will prohibit caravan parks.
<i>SEPP No.26 – Littoral Rainforests</i>	Not applicable to Hurstville.	--
<i>SEPP No.29 – Western Sydney Recreation Area</i>	Not applicable to Hurstville.	--
<i>SEPP No.30 – Intensive Agriculture</i>	Not applicable to Hurstville	--
<i>SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)</i>	Not applicable to Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP No.33 – Hazardous and Offensive Development</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Education Establishment) will prohibit hazardous and offensive industries on the Subject Site. The existing R2 Low Density Residential zoning also prohibits these land uses.
<i>SEPP No.36 – Manufactured Home Estates</i>	Not applicable to Hurstville.	--

State Environmental Planning Policy	Applicable	Consideration
<i>SEPP No.39 – Spit Island Bird Habitat</i>	Not applicable to Hurstville.	---
<i>SEPP No.44 – Koala Habitat Protection</i>	Not applicable to Hurstville.	---
<i>SEPP No.47 – Moore Park Showground</i>	Not applicable to Hurstville.	---
<i>SEPP No.50 – Canal Estate Development</i>	Not applicable to the Planning Proposal.	The Planning Proposal does not propose canal estate development.
<i>SEPP No.52 – Farm Dams and Other Works in Land and Water Management Plan Areas</i>	Not applicable to Hurstville.	---
<i>SEPP No.55 – Remediation of Land</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.59 – Central Western Sydney Regional Open Space and Residential</i>	Not applicable to Hurstville.	---
<i>SEPP No.62 – Sustainable Aquaculture</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.64 – Advertising and Signage</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.65 – Design Quality of Residential Apartment Development</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential flat buildings will be prohibited under the SP2 zone.
<i>SEPP No.70 – Affordable Housing (Revised Schemes)</i>	Not applicable to Hurstville.	---
<i>SEPP No.71 – Coastal Protection</i>	Not applicable to Hurstville.	---
<i>SEPP (Affordable Rental Housing) 2009</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	Not applicable to the Planning	Any future school development will not be required to comply with the

State Environmental Planning Policy	Applicable	Consideration
	Proposal.	BASIX requirements for residential accommodation.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
<i>SEPP (Infrastructure) 2007</i>	Applicable to the Planning Proposal.	Consistent. The SEPP will apply to all future development on the SP2 Infrastructure zoned land.
<i>SEPP (Kosciuszko National Park – Alpine Resorts) 2007</i>	Not applicable to Hurstville.	--
<i>SEPP (Kurnell Peninsula) 1989</i>	Not applicable to Hurstville.	--
<i>SEPP (Major Development) 2005</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Miscellaneous Consent Provisions) 2007</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Penrith Lakes Scheme) 1989</i>	Not applicable to Hurstville.	--
<i>SEPP (Rural Lands) 2008</i>	Not applicable to Hurstville.	--
<i>SEPP (SEPP 53 Transitional Provisions) 2011</i>	Not applicable to Hurstville.	--
<i>SEPP (State and Regional Development) 2011</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	Not applicable to Hurstville.	--
<i>SEPP (Sydney Region Growth Centres) 2006</i>	Not applicable to Hurstville.	--
<i>SEPP (Three Ports) 2013</i>	Not applicable to Hurstville.	--

State Environmental Planning Policy	Applicable	Consideration
<i>SEPP (Urban Renewal) 2010</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Western Sydney Employment Area) 2009</i>	Not applicable to Hurstville.	--
<i>SEPP (Western Sydney Parklands) 2009</i>	Not applicable to Hurstville	--
<i>Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP)</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this deemed SEPP.

Section 117 Ministerial Directions

The following is a list of Directions issues by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act, 1979*. These directions apply to planning proposals lodged with the Department of Planning and Environment.

Direction	Applicable	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones <i>Objectives:</i> (a) <i>Encourage employment growth in suitable locations</i> (b) <i>Protect employment land in business and industrial zones,</i> (c) <i>Support the viability of identified strategic centres.</i>	Not applicable to the Planning Proposal.	The Subject Site is not located within a business or industrial zone.
1.2 Rural Zones	Not applicable to Hurstville.	--
1.3 Mining, Petroleum Production and Extractive Industries <i>Objective:</i> <i>To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	Not applicable to Planning Proposal.	The Planning Proposal does not have any effect on mining, petroleum production and extractive industries.
1.4 Oyster Aquaculture <i>Objectives:</i>	Not applicable to the Planning	The Planning Proposal does not propose a change in land use which

Direction	Applicable	Comment
(a) <i>To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal.</i> (b) <i>To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oyster and oyster consumers.</i>	Proposal.	could result in adverse impacts on a Priority Oyster Aquaculture Area or an incompatible use of land.
1.5 Rural Lands	Not applicable to Hurstville.	--
2. Environment and Heritage		
2.1 Environment Protection Zones <i>Objective:</i> <i>To protect and conserve environmentally sensitive areas.</i>	Not applicable to the Planning Proposal.	The Subject Site is not located within an environmental protection zone and the Proposal does not impact on environmentally sensitive areas.
2.2 Coastal Protection	Not applicable to Hurstville.	--
2.3 Heritage Conservation <i>Objective:</i> <i>To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	Applicable to the Planning Proposal.	The Hurstville LEP 2012 contains Standard Instrument LEP provisions to facilitate the heritage conservation. No change to these provisions is proposed. The Subject Site includes two (2) heritage items as considered in the body of the report. No change to the heritage listing is proposed.
2.4 Recreation Vehicle Areas <i>Objective:</i> <i>To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i>	Not applicable to the Planning Proposal.	The Planning Proposal is not within an environmental protection zone or coastal areas identified in the Direction.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones <i>Objectives:</i> (a) <i>To encourage a variety and choice of housing types to provide for existing and future housing needs</i>	Applicable to Planning Proposal.	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.

Direction	Applicable	Comment
(b) <i>To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</i> (c) <i>To minimise the impact of residential development on environment and resource lands.</i>		
3.2 Caravan Parks and Manufactured Home Estates <i>Objectives:</i> (a) <i>To provide for a variety of housing types</i> (b) <i>To provide opportunities for caravan parks and manufactured home estates.</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Caravan parks and manufactured home estates are prohibited under the SP2 zone.
3.3 Home Occupations <i>Objective:</i> <i>To encourage the carrying out of low-impact small businesses in dwelling houses.</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Dwelling houses (and home occupations) are prohibited under the SP2 zone.
3.4 Integrating Land Use and Transport <i>Objective:</i> <i>To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> (a) <i>Improving access to housing, jobs and services by walking, cycling and public transport</i> (b) <i>Increasing the choice of available transport and reducing dependence on cars</i> (c) <i>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car</i> (d) <i>Supporting the efficient and viable operation of public transport services</i> (e) <i>Providing for the efficient</i>	Not applicable to the Planning Proposal.	Consistent. The Subject Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. The Planning Proposal does not hinder the application of this Direction.

Direction	Applicable	Comment
<i>movement of freight.</i>		
3.5 Development Near Licensed Aerodromes	Not applicable to Hurstville.	--
3.6 Shooting Ranges	Not applicable to Hurstville.	--
4. Hazard and Risk		
4.1 Acid Sulfate Soils <i>Objective: To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i>	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as land having a probability of containing acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Not applicable to Hurstville.	--
4.3 Flood Prone Land	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as Flood Prone Land.
4.4 Planning for Bushfire Protection	Not applicable to Planning Proposal.	The Subject Site is not within a Bushfire Prone Area.
5. Regional Planning		
5.1 Implementation of Regional Strategies	Not applicable to Hurstville.	--
5.2 Sydney Drinking Water Catchments	Not applicable to Hurstville.	--
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Hurstville.	--
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Hurstville.	--
5.5 Revoked	--	--
5.6 Revoked	--	--
5.7 Revoked	--	--
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to Hurstville.	--
5.9 North West Rail Link Corridor Strategy	Not applicable to Hurstville.	--
6. Local Plan Making		
6.1 Approval and Referral	Yes	The Planning Proposal does not include provisions that require

Direction	Applicable	Comment
Requirements <i>Objective:</i> <i>To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>		concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes <i>Objective:</i> <i>(a) To facilitate the provision of public services and facilities by reserving land for public purposes, and</i> <i>(b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i>	Yes	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.
6.3 Site Specific Provisions <i>Objective:</i> <i>To discourage unnecessary restrictive site specific planning controls.</i>	Not applicable to Planning Proposal.	No site specific provisions are proposed.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney <i>Objective:</i> <i>To give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>	Yes	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to Hurstville.	--

Attachment 4:

SEPPs & S117 Directions Compliance Table

State Environmental Planning Policies

The following is a list of State Environmental Planning Policies (SEPPs) that apply to the Subject Site and consideration of the Planning Proposal's consistency with the objectives and provisions of the SEPPs.

State Environmental Planning Policy	Applicable	Consideration
<i>SEPP No.1 – Development Standards</i>	Not applicable to Hurstville.	Repealed by clause 1.9 of Hurstville LEP 2012.
<i>SEPP No.14 – Coastal Wetlands</i>	Not applicable to Hurstville.	--
<i>SEPP No.15 – Rural Landsharing Communities</i>	Not applicable to Hurstville.	--
<i>SEPP No.19 – Bushland in Urban Areas</i>	Not applicable to the Planning Proposal.	The Subject Site is located within the established urban area of Hurstville in the existing Danebank School campus.
<i>SEPP No.21 – Caravan Parks</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will prohibit caravan parks.
<i>SEPP No.26 – Littoral Rainforests</i>	Not applicable to Hurstville.	--
<i>SEPP No.29 – Western Sydney Recreation Area</i>	Not applicable to Hurstville.	--
<i>SEPP No.30 – Intensive Agriculture</i>	Not applicable to Hurstville	--
<i>SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)</i>	Not applicable to Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP No.33 – Hazardous and Offensive Development</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Education Establishment) will prohibit hazardous and offensive industries on the Subject Site. The existing R2 Low Density Residential zoning also prohibits

State Environmental Planning Policy	Applicable	Consideration
		these land uses.
<i>SEPP No.36 – Manufactured Home Estates</i>	Not applicable to Hurstville.	--
<i>SEPP No.39 – Spit Island Bird Habitat</i>	Not applicable to Hurstville.	--
<i>SEPP No.44 – Koala Habitat Protection</i>	Not applicable to Hurstville.	--
<i>SEPP No.47 – Moore Park Showground</i>	Not applicable to Hurstville.	--
<i>SEPP No.50 – Canal Estate Development</i>	Not applicable to the Planning Proposal.	The Planning Proposal does not propose canal estate development.
<i>SEPP No.52 – Farm Dams and Other Works in Land and Water Management Plan Areas</i>	Not applicable to Hurstville.	--
<i>SEPP No.55 – Remediation of Land</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.59 – Central Western Sydney Regional Open Space and Residential</i>	Not applicable to Hurstville.	--
<i>SEPP No.62 – Sustainable Aquaculture</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.64 – Advertising and Signage</i>	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
<i>SEPP No.65 – Design Quality of Residential Apartment Development</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential flat buildings will be prohibited under the SP2 zone.
<i>SEPP No.70 – Affordable Housing (Revised Schemes)</i>	Not applicable to Hurstville.	---
<i>SEPP No.71 – Coastal Protection</i>	Not applicable to Hurstville.	--
<i>SEPP (Affordable Rental Housing) 2009</i>	Not applicable to the Planning	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the

State Environmental Planning Policy	Applicable	Consideration
	Proposal.	current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
<i>SEPP (Building Sustainability Index: BASIX) 2004</i>	Not applicable to the Planning Proposal.	Any future school development will not be required to comply with the BASIX requirements for residential accommodation.
<i>SEPP (Exempt and Complying Development Codes) 2008</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Housing for Seniors or People with a Disability) 2004</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
<i>SEPP (Infrastructure) 2007</i>	Applicable to the Planning Proposal.	Consistent. The SEPP will apply to all future development on the SP2 Infrastructure zoned land.
<i>SEPP (Kosciuszko National Park – Alpine Resorts) 2007</i>	Not applicable to Hurstville.	--
<i>SEPP (Kurnell Peninsula) 1989</i>	Not applicable to Hurstville.	--
<i>SEPP (Major Development) 2005</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Mining, Petroleum Production and Extractive Industries) 2007</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Miscellaneous Consent Provisions) 2007</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Penrith Lakes Scheme) 1989</i>	Not applicable to Hurstville.	--
<i>SEPP (Rural Lands) 2008</i>	Not applicable to Hurstville.	--
<i>SEPP (SEPP 53 Transitional Provisions) 2011</i>	Not applicable to Hurstville.	--
<i>SEPP (State and Regional</i>	Not applicable	Not inconsistent. The Planning

State Environmental Planning Policy	Applicable	Consideration
<i>Development) 2011</i>	to the Planning Proposal.	Proposal does not hinder the application of this SEPP.
<i>SEPP (Sydney Drinking Water Catchment) 2011</i>	Not applicable to Hurstville.	--
<i>SEPP (Sydney Region Growth Centres) 2006</i>	Not applicable to Hurstville.	--
<i>SEPP (Three Ports) 2013</i>	Not applicable to Hurstville.	--
<i>SEPP (Urban Renewal) 2010</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
<i>SEPP (Western Sydney Employment Area) 2009</i>	Not applicable to Hurstville.	--
<i>SEPP (Western Sydney Parklands) 2009</i>	Not applicable to Hurstville	--
<i>Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP)</i>	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this deemed SEPP.

Section 117 Ministerial Directions

The following is a list of Directions issued by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act, 1979*. These directions apply to planning proposals lodged with the Department of Planning and Environment.

Direction	Applicable	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones <i>Objectives:</i> (a) <i>Encourage employment growth in suitable locations</i> (b) <i>Protect employment land in business and industrial zones,</i> (c) <i>Support the viability of identified strategic centres.</i>	Not applicable to the Planning Proposal.	The Subject Site is not located within a business or industrial zone.
1.2 Rural Zones	Not applicable to Hurstville.	--
1.3 Mining, Petroleum Production and Extractive Industries <i>Objective:</i> <i>To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>	Not applicable to Planning Proposal.	The Planning Proposal does not have any effect on mining, petroleum production and extractive industries.
1.4 Oyster Aquaculture <i>Objectives:</i> (a) <i>To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal.</i> (b) <i>To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land</i>	Not applicable to the Planning Proposal.	The Planning Proposal does not propose a change in land use which could result in adverse impacts on a Priority Oyster Aquaculture Area or an incompatible use of land.

Direction	Applicable	Comment
<i>uses that may result in adverse impacts on water quality and consequently, on the health of oyster and oyster consumers.</i>		
1.5 Rural Lands	Not applicable to Hurstville.	--
2. Environment and Heritage		
2.1 Environment Protection Zones <i>Objective: To protect and conserve environmentally sensitive areas.</i>	Not applicable to the Planning Proposal.	The Subject Site is not located within an environmental protection zone and the Proposal does not impact on environmentally sensitive areas.
2.2 Coastal Protection	Not applicable to Hurstville.	--
2.3 Heritage Conservation <i>Objective: To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i>	Applicable to the Planning Proposal.	The Hurstville LEP 2012 contains Standard Instrument LEP provisions to facilitate the heritage conservation. No change to these provisions is proposed. The Subject Site includes two (2) heritage items as considered in the body of the report. No change to the heritage listing is proposed.
2.4 Recreation Vehicle Areas <i>Objective: To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.</i>	Not applicable to the Planning Proposal.	The Planning Proposal is not within an environmental protection zone or coastal areas identified in the Direction.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones <i>Objectives: (a) To encourage a variety and choice of housing types to provide for existing and future housing needs (b) To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to</i>	Applicable to Planning Proposal.	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.

Direction	Applicable	Comment
<i>infrastructure and services</i> (c) <i>To minimise the impact of residential development on environment and resource lands.</i>		
3.2 Caravan Parks and Manufactured Home Estates Objectives: (a) <i>To provide for a variety of housing types</i> (b) <i>To provide opportunities for caravan parks and manufactured home estates.</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Caravan parks and manufactured home estates are prohibited under the SP2 zone.
3.3 Home Occupations Objective: <i>To encourage the carrying out of low-impact small businesses in dwelling houses.</i>	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Dwelling houses (and home occupations) are prohibited under the SP2 zone.
3.4 Integrating Land Use and Transport Objective: <i>To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i> (a) <i>Improving access to housing, jobs and services by walking, cycling and public transport</i> (b) <i>Increasing the choice of available transport and reducing dependence on cars</i> (c) <i>Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car</i> (d) <i>Supporting the efficient and</i>	Not applicable to the Planning Proposal.	Consistent. The Subject Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. The Planning Proposal does not hinder the application of this Direction.

Direction	Applicable	Comment
<i>viable operation of public transport services</i> (e) <i>Providing for the efficient movement of freight.</i>		
3.5 Development Near Licensed Aerodromes	Not applicable to Hurstville.	--
3.6 Shooting Ranges	Not applicable to Hurstville.	--
4. Hazard and Risk		
4.1 Acid Sulfate Soils <i>Objective:</i> <i>To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i>	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as land having a probability of containing acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Not applicable to Hurstville.	--
4.3 Flood Prone Land	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as Flood Prone Land.
4.4 Planning for Bushfire Protection	Not applicable to Planning Proposal.	The Subject Site is not within a Bushfire Prone Area.
5. Regional Planning		
5.1 Implementation of Regional Strategies	Not applicable to Hurstville.	--
5.2 Sydney Drinking Water Catchments	Not applicable to Hurstville.	--
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Hurstville.	--
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Hurstville.	--
5.5 Revoked	--	--
5.6 Revoked	--	--
5.7 Revoked	--	--

Direction	Applicable	Comment
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to Hurstville.	--
5.9 North West Rail Link Corridor Strategy	Not applicable to Hurstville.	--
6. Local Plan Making		
6.1 Approval and Referral Requirements <i>Objective:</i> <i>To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>	Yes	The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes <i>Objective:</i> (a) <i>To facilitate the provision of public services and facilities by reserving land for public purposes, and</i> (b) <i>To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i>	Yes	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.
6.3 Site Specific Provisions <i>Objective:</i> <i>To discourage unnecessary restrictive site specific planning controls.</i>	Not applicable to Planning Proposal.	No site specific provisions are proposed.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney <i>Objective:</i> <i>To give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>	Yes	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to Hurstville.	--

