

Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006)(Draft Amendment No 20)

Proposal Title : **Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006)(Draft Amendment No 20)**

Proposal Summary : **The Planning Proposal seeks to make the following amendments to Sutherland Shire Local Environmental Plan 2006:**

-Increase the maximum floor space ratio permitted in Zone 1 – Environmental Housing (Environmentally Sensitive Land), Zone 2 – Environmental Housing (Scenic Quality), Zone 3 - Environmental Housing (Bushland) and Zone 4 - Local Housing.

-Decrease the minimum landscaped area required to 30% for Zone 1 - Environmental Housing (Environmentally Sensitive Land), Zone 2 - Environmental Housing (Scenic Quality), Zone 3 - Environmental Housing (Bushland), Zone 4 - Local Housing and Zone 5 - Multiple Dwelling A.

-Include a provision to allow a reduction in landscaped area by 5% if a significant tree within the building platform is accommodated on site.

-Delete Clause 18 which allows for the removal of waterfront structures.

-Introduce a new term 'waterfront cottages' as a permissible land use in Zone 1- Environmental Housing (Scenic Quality) and Zone 16 - Environmental Protection (Waterways).

-Exclude boatsheds and garden sheds from gross floor area calculations.

PP Number : **PP_2013_SUTHE_001_00**

Dop File No :

13/01463

Planning Team Recommendation

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

S.117 directions :

Additional Information : **It is recommended that the Planning Proposal proceed, subject to the following conditions:**

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

The RPA should be advised that:

1. The Planning Proposal is considered to be consistent with the relevant s117 Directions listed as:

2.1 Environment Protection Zones

3.1 Residential Zones

6.3 Site Specific Provisions

2.No consultation with the public authorities is required.

3.No further studies are required to be carried out.

4.It is recommended that the Council be reminded of the advice given by the Department on 16 Nov 2012 concerning the definition of 'Gross floor area' and that the definition for waterfront cottages cannot be included in the DSLEP2013.

5.It is also recommended that given the proposed Clause 36 can only relate to the definition of 'significant tree', as defined in SSLEP 2006, Council be reminded to exhibit any relevant material as part of the exhibition package which will clearly demonstrate the type of trees that may be applicable under this clause.

Supporting Reasons : **The Planning Proposal is considered to be the most efficient means of achieving the stated objectives and intended outcomes.**

Panel Recommendation

Recommendation Date : **17-Jan-2013**

Gateway Recommendation : **Passed with Conditions**

Panel

The Planning Proposal should proceed subject to the following conditions:

Recommendation :

1. As part of the public exhibition material, Council is to include any additional supporting information it has regarding the definition of 'significant trees'. This material is to explain the intention of the amendment to Clause 36 'Landscaped Area' and provide advice on the types of trees that are covered by the amendment.

2. Community consultation is required under sections 56(2)(c) and 57 of the Environmental Planning and Assessment Act 1979 ("EP&A Act") as follows:

(a) the planning proposal is classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012) and must be made publicly available for 14 days; and

(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Infrastructure 2012).

3. No consultation is required with public authorities under section 56(2)(d) of the EP&A Act.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Signature:



Printed Name:

NEIL SELMAN

Date:

22/01/2013