

Proposal to reclassify land owned by the former Bankstown Council from 'community' to 'operational' at 180 Princes Highway, St Peters.

Proposal Title : **Proposal to reclassify land owned by the former Bankstown Council from 'community' to 'operational' at 180 Princes Highway, St Peters.**

Proposal Summary : **The planning proposal seeks to amend Schedule 4, Part 1 of the Marrickville Local Environmental Plan 2011 (MLEP2011) by reclassifying land owned by the former Bankstown City Council at 180 Princes Highway, St Peters from 'community' to 'operational' land.**

PP Number : **PP_2017_IWEST_001_00** Dop File No : **17/01075**

Proposal Details

Date Planning Proposal Received : **19-Dec-2016** LGA covered : **Inner West**

Region : **Metro(CBD)** RPA : **Inner West Council**

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

LEP Type : **Reclassification**

Location Details

Street : **180 Princes Highway**

Suburb : **St Peters** City : **Sydney** Postcode : **2044**

Land Parcel : **Lot 4 DP 818380**

DoP Planning Officer Contact Details

Contact Name : **Jazmin van Veen**

Contact Number : **0293732877**

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RPA Contact Details

Contact Name : **Peter Wotton**

Contact Number : **0293352260**

Contact Email : **peter.wotton@innerwest.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Martin Cooper**

Contact Number : **0292746582**

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

Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Consistent with Strategy :

Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

Have there been No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Supporting notes

Internal Supporting
Notes :

The planning proposal is supported as the reclassification is largely administrative and will allow for long term leasing of the land.

Delegation to Inner West Council is supported as the planning proposal does not require the Governor's approval as it is not proposed to remove any covenants or trusts relating to the land. The planning proposal also relates to land which is not owned by the Inner West Council.

External Supporting
Notes :

The site is owned by the former Bankstown City Council (BCC) and is currently occupied by a fast food restaurant. No classification was resolved by the former BCC after purchase in 2003 and as such the land defaulted to the classification of 'community' land under the Local Government Act 1993. As the subject land is within the Inner West Local Government Area, the proposal is being processed by Inner West Council under the Marrickville Local Environmental Plan 2011.

No interests are proposed to change as a result of the reclassification, nor does the proposal seek to change the land use zoning.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment :

The planning proposal seeks to reclassify a parcel of land known as 180 Princes Highway, St Peters, owned by the former Bankstown City Council, from Community Land to Operational Land.

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

Is an explanation of provisions provided? Yes

Comment :

The Planning Proposal seeks amend Schedule 4 of Marrickville Local Environmental Plan 2011 to add 180 Princes Highway, St Peters (Lot 4 DP 818380) to Part 1 - Land classified, or reclassified, as operational land — no interests changed.

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Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

* May need the Director General's agreement

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 19—Bushland in Urban Areas

SEPP No 21—Caravan Parks

SEPP No 30—Intensive Agriculture

SEPP No 33—Hazardous and Offensive Development

SEPP No 50—Canal Estate Development

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Infrastructure) 2007

SEPP (Mining, Petroleum Production and Extractive Industries) 2007

SEPP (Temporary Structures and Places of Public Entertainment) 2007

SEPP (Affordable Rental Housing) 2009

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

The planning proposal does not include discussion on the consistency of Planning Direction - 4.1 Acid Sulfate Soils. The land is identified through the Marrickville Local Environmental Plan 2011 – Acid Sulfate Soils Map as being both Class 2 and 5. The proposal will not result in an intensification of the use of the land as it does not seek to rezone the land or amend development standards. MLEP2011 includes provisions for acid sulfate soils which must be considered at the development application stage. The proposal is consistent with this direction.

The planning proposal seeks only to reclassify the land in order to maintain the existing use and allow for long term leasing of the site. The proposal is consistent with the SEPPs and 117 Directions identified.

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

A subject land map is included within the documentation provided by Canterbury Bankstown Council, attached to the planning proposal, however it is of low legibility. No mapping showing the zoning or development standards for the site have been included. The planning proposal should be amended prior to community consultation to include clear maps showing the subject site and its context, and a map showing the current zone of the land.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

It is suggested through the planning proposal that any public exhibition would be in accordance with the conditions of the Gateway Determination. The planning proposal also proposes a public hearing be held in accordance with the requirements of the Local Government Act 1993.
It is recommended that a 28 day public exhibition be required for this planning

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proposal.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **Marrickville Local Environmental Plan 2011 notified on 12 December 2011.**

Assessment Criteria

Need for planning proposal : **The site was purchased in 2003 by the former Bankstown City Council as a strategic land holding for the operational purposes of financial return to the Council. In accordance with the Local Government Act 1993, a council is given 3 months to resolve the classification of newly acquired land. As this did not occur the land defaulted to a "community" classification.**

The land is currently leased and occupied by a Kentucky Fried Chicken restaurant. The reclassification is required for council to continue long term leasing of the land. There are no proposed changes to the interests of this land and no rezoning is sought.

Consistency with strategic planning framework : **This planning proposal is generally consistent with A Plan for Growing Sydney and the Draft Central District Plan. The planning proposal is largely administrative and does not propose any changes to the strategic direction of the MLEP2011.**

Environmental social economic impacts : **The planning proposal seeks to only reclassify the land to allow the existing use to continue. No environmental, social or economic impacts have been identified through the planning proposal.**

The reclassification would allow council to pursue redevelopment options not afforded to community land and allow for disposal of the site. However, the site was not acquired for public use and was inadvertently classified community. Its reclassification is likely to result no social impacts.

Assessment Process

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

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d)

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover letter.pdf	Proposal Covering Letter	Yes
Planning Proposal.pdf	Proposal	Yes
Attachment - Info from Bankstown Council.pdf	Proposal	Yes

Planning Team Recommendation

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

S.117 directions: **1.1 Business and Industrial Zones**
7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceeds subject to the following conditions:**

1. Prior to exhibition, the planning proposal is to be updated to:
a. include a plain English explanation of the intent of the planning proposal;
b. amend the planning proposal to include maps clearly identifying the land subject to the planning proposal and its context, and the current zoning of the land;
d. include a discussion regarding how the proposal is consistent with the draft Central District Plan and s117 Planning Direction - 4.1 Acid Sulfate Soils.

2. No Public Authority consultation under 56(2)(d).

3. The planning proposal must be made publicly available for a minimum of 28 days.

4. A public hearing is not required under 56(2)(e).

5. The timeframe for completing the LEP is to be 12 months.

Supporting Reasons : **The reclassification is largely administrative and will allow for long term leasing of the land.**

Delegation to Inner West Council is supported as the planning proposal does not require the Governor's approval as it is not proposed to remove any covenants or trusts relating

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to the land. The planning proposal also relates to land which is not owned by the Inner West Council.

Signature:



Printed Name:

MARTIN COOPER

Date:

25/01/2017