

Ref No: D18/13193

Planning Proposal

Rezone site from SP2 Infrastructure to R2 Low Density Residential with new height and FSR controls and amendment to Schedule 1 additional permitted uses

(PP2017/0002) – 12-14 Pindari Road, Peakhurst Heights

February 2018

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1. Introduction

Georges River Council considered a Planning Proposal (PP2017/0002) at its meeting on 18 December 2017 and resolved to support the amendment to the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) by rezoning the site at 12-14 Pindari Road, Peakhurst Heights (legally known as Lot 58 DP 206906 and Lot 59 DP 206906) from SP2 Infrastructure (Church) to R2 Low Density Residential with a maximum FSR of 1:1 and building height of 9m. The proposal also amends Schedule 1 to include office premises, restaurant or café uses.

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” (August, 2016); and
- “A guide to preparing local environmental plans” (August, 2016).

Subject Site

The subject site includes two (2) lots with a combined area of 1,170m² which are known as No. 12-14 Pindari Road, Peakhurst Heights and comprise:

- Lot 58 in DP 206906 (No. 12 Pindari Road) is generally rectangular in shape with an area of approximately 580m² and frontage of approximately 15.85m to Pindari Road.
- Lot 59 in DP 206906 (No. 14 Pindari Road) is irregular in shape with an area of approximately 590m² and frontages of approximately 18.97m to Pindari Road and 38.105m to Pindari Road Reserve.

Refer to **Figure 1** below.



Figure 1: Aerial image with site outlined in red

The subject site is owned and occupied by Learning Links. Learning Links is a company that provides a range of services that help support children with learning difficulties and disabilities such as speech pathology and occupational therapy.

The subject site consists of the following building and open space elements as shown in **Figures 2, 3 and 4** below:

- An elevated building facing Pindari Road with basement area (former church building) that is partitioned and used as an administrative office, tuition rooms and storage space.
- A single storey building to the rear of the site accessed from Pindari Road Reserve that is connected to the main building. This is used as a child care centre (pre-school).
- An outdoor play and recreation area that is partly covered and adjoins the neighbouring dwelling at No. 10 Pindari Road. A high security gate to the outdoor play area runs along the Pindari Road front boundary.



Figure 2: Site as viewed from Pindari Road frontage



Figure 3: Site viewed from Pindari Road Reserve



Figure 4: Outdoor play/recreation area as viewed from Pindari Road

Site History

The site has a long history of being owned and occupied by Learning Links which is a community facility and associated child care centre.

Council's records show the following Building Application and Development Application approvals for the site:

- BA-758 was granted in 1968 by the former Municipality of Hurstville to use the rear of the site as a "pre-school kindergarten". At this time, the site was being used as a place of public worship by the Baptist Church.
- DA 479/90 was granted on 18 December 1990 by the former Hurstville City Council for office space and after school accommodation.
- Section 96 Modification to DA 479/90 was granted on 10 May 1995 to amend Condition 4 relating to operating hours. The S96 states that "the pre-school operates between the hours of 9.00am and 4.30pm, Monday to Friday. The office and after school accommodation operates between the hours of 9.00am and 7.00pm, Monday to Friday".
- DA 970/99 was granted on 9 December 1999 by the former Hurstville City Council for access stairs and a ramp to the front of the building.

The SP2 Infrastructure zone under the *HLEP 2012* is considered overly restrictive and outdated for the site. The site has not been used as a public of public worship for over 25 years.

The proposed R2 Low Density Residential zoning for the site and the additional Schedule 1 uses (office premises; restaurant or café) allows for the continuation of the existing uses on

site within a permissible zone. The primary use of the site as a community facility is being maintained. The proposed zoning and maximum FSR and height limits are considered appropriate given the adjoining low density residential zone and adjoining B1 Neighbourhood Centre zone.

Surrounding Land

A summary of the surrounding land is provided below and shown in **Figures 5 and 6** below:

- North: To the north of the site are low density residential dwelling houses. No.10 Pindari Road which immediately adjoins the site is a single storey brick dwelling house with a pitched roof form and side carport. No. 8 Pindari Road is a two storey dwelling house with a pitched roof form.
- East: To the east of the site, on the opposite side of Pindari Road, is Peakhurst South Public School.
- South: Immediately to the south of the site is a public open space area that is known as Pindari Road Reserve. The child care component of the subject site is accessed from this reserve. Further south of the reserve is the Peakhurst Heights Pindari Road Neighbourhood Centre.
- West: To the west of the site are low density dwelling houses that front Karwarra Place, which is a cul-de-sac. The rear boundaries of Nos. 4 and 5 Karwarra Place border the rear boundary of the subject site.

It should be noted that there are no heritage items on or within the vicinity of the site.



Figure 5: Adjoining low density residential uses along Pindari Road



**Figure 6: Adjacent shop top housing development in the
Peakhurst Height Pindari Road Neighbourhood Centre**

Existing Planning Controls

The *HLEP 2012* applies to the site and the following provisions are relevant to the Planning Proposal:

Zoning

The site is zoned SP2 Infrastructure (Church) as shown on the extract of the Land Zoning Map – Sheet LZN_002 below (**Figure 7**).

The adjoining land to the south is zoned RE1 Public Recreation and B1 Neighbourhood Centre. Peakhurst South Public School on the opposite side of Pindari Road is zoned SP2 Infrastructure (Educational Establishment).

Planning Proposal - 12-14 Pindari Road, Peakhurst Heights Existing Zoning Map

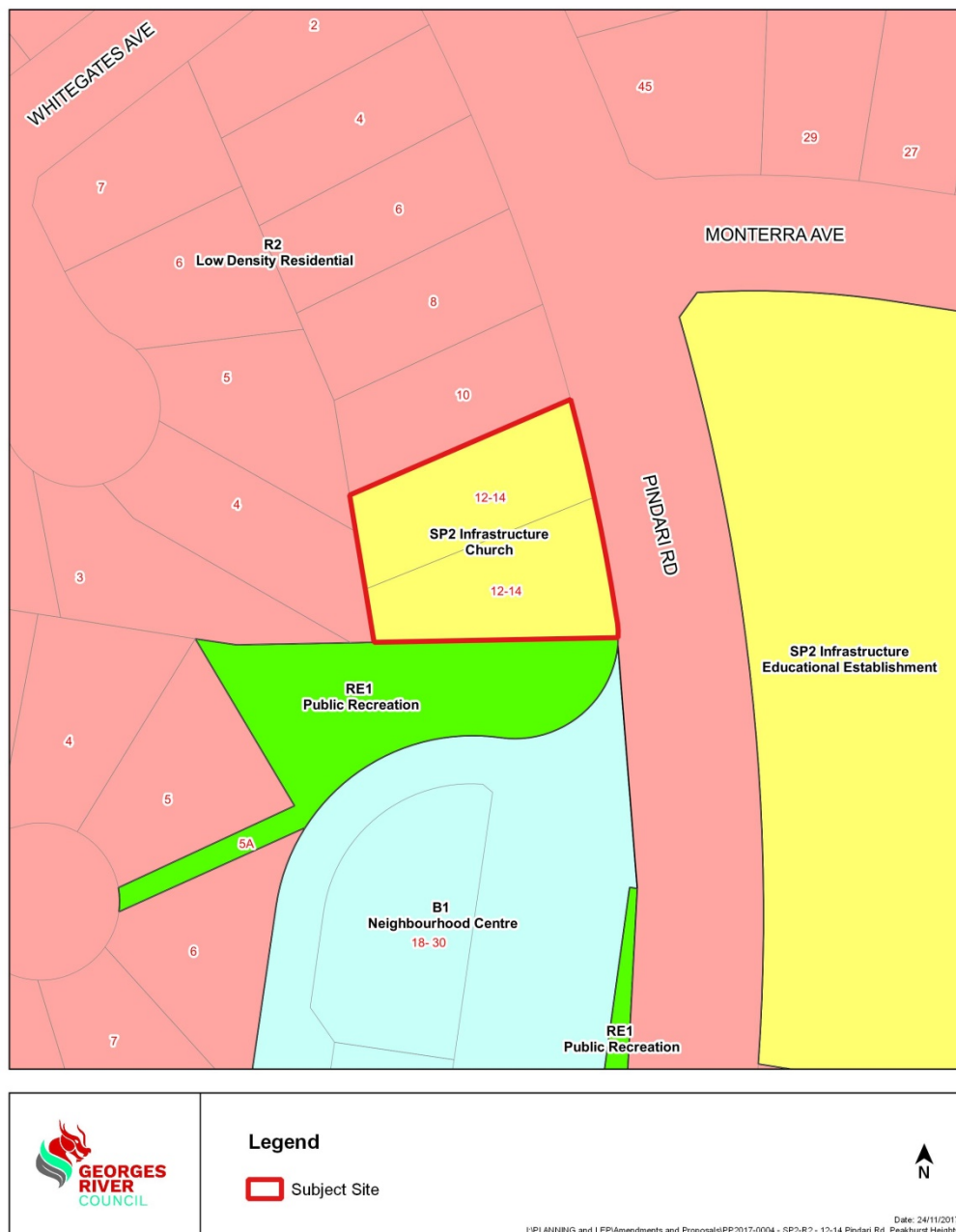


Figure 7: Extract of Hurstville LEP 2012 – Land Zoning Map

Land Uses

The existing uses on the site are defined as a *‘community facility’* and a *‘centre-based child care facility’* under the *HLEP 2012*. Both of these uses are permitted in a R2 Low Density Residential Zone.

The *HLEP 2012* defines *‘community facility’* as:

“a building or place:

- (a) Owned or controlled by a public authority or non-profit organisation, and*
- (b) Use for physical, social, cultural or intellectual development or welfare of the community,*

But does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation”.

The HLEP 2012 defines a ‘centre-based child care facility’ as:

“(a) a building or place used for the education and care of children that provides any one or more of the following:

- (i) long day care,*
- (ii) occasional child care,*
- (iii) out-of-school-hours care (including vacation care),*
- (iv) preschool care, or*

- (b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW),*

but does not include:

- (c) a building or place used for home-based child care or school-based child care, or*
- (d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW), or*
- (e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or*
- (f) a child minding service that is provided in connection with recreational or commercial facility (such as a gymnasium) to care for children while the children’s parents are using the facility, or*
- (g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or*
- (h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility”.*

Learning Links was community founded and has evolved into a community body that has government recognition and receives government funding. The legal entity is that of a company limited by guarantee, which is a specialist form of public company expressly designed for non-profit organisations. It is not defined as an educational establishment.

Development Standards

Height of Buildings: the site has no nominated maximum building height as shown on the extract of the Height of Buildings Map – Sheet HOB_002 below (**Figure 8**). The adjoining and surrounding land has a maximum building height of 9m.

**Planning Proposal - 12-14 Pindari Road, Peakhurst Heights
Existing Height of Buildings Map**



Figure 8: Extract of Hurstville LEP 2012 – Height of Buildings Map

Floor Space Ratio: the site has no nominated maximum Floor Space Ratio as shown on the extract of the Floor Space Ratio Map – Sheet FSR_002 below **(Figure 9)**.

The surrounding and adjoining low density residential housing has a maximum FSR of 0.6:1. Land to the south in the B1 Neighbourhood Centre zone has a maximum FSR of 1.5:1.

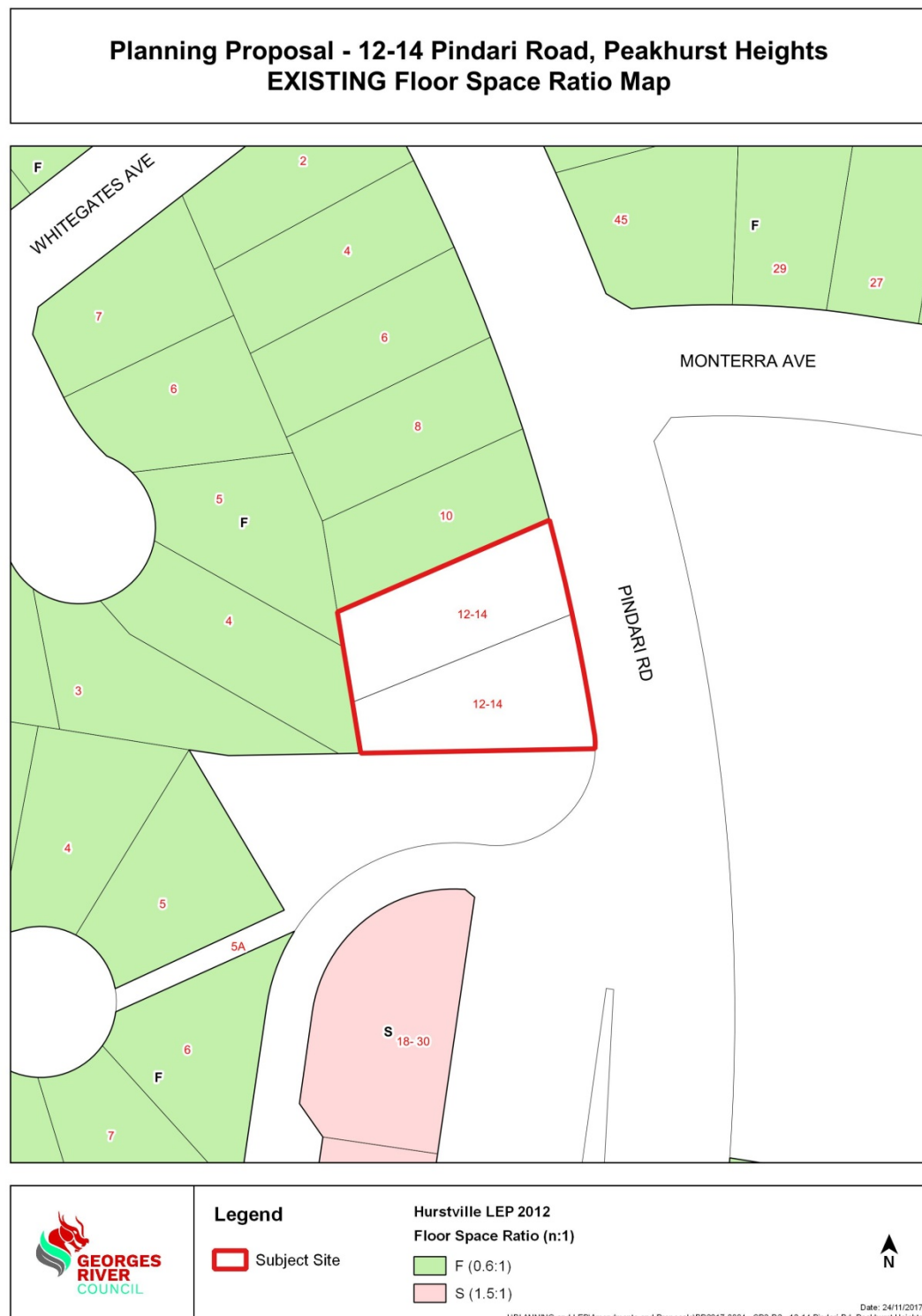


Figure 9: Extract of Hurstville LEP 2012 – Floor Space Ratio Map

Hurstville Development Control Plan (“DCP”)

The Hurstville DCP No.1 currently applies to the site. The DCP details specific controls that govern building form, such as site coverage, setbacks and landscaping, building materials and finishes, parking requirements, and dwelling mix.

Georges River Council Policy on Planning Agreements

The Georges River Council Voluntary Planning Agreement (“VPA”) Policy was adopted on 1 August 2016 and sets out Council's objectives in relation to the use of planning agreements. The Policy has been consistently applied to planning proposals and development applications alike since its adoption.

Clause 5.3 of the Policy states that where either a planning proposal is proposed, or development consent is sought, which will result in an exceedance of development standards and an inherent increase in value of the land or development, the concept of land value capture may be used to assess the appropriate contribution.

Although the proposal seeks a rezoning from SP2 to R2, which will result in a broader range of land uses being permitted on the site, the proposal does not seek development uplift given that there are currently no FSR or height controls under the SP2 Infrastructure zone and the proposal is requesting height and FSR controls that are compatible with the adjoining R2 and B1 zones.

The formula in Council's VPA Policy for calculating land value capture, applies to existing residual value under the LEP and the proposed residual land value under the planning proposal or development application. In this regard, it would be difficult to assess the uplift as there may not be any uplift due to the existing use rights on the land.

As outlined above, the existing development is a community facility registered as a not for profit organisation. The site is owned by Learning Links and operates as a community facility that services children with learning difficulties and disabilities such as speech pathology and occupational therapy. The site also consists of a community based pre-school that is owned and run by Learning Links.

The planning proposal is seeking to validate the existing employment based land uses on the site and allow for a broader range of land uses that would be consistent with the existing uses on the site by rezoning from SP2 to R2. The proposed height and FSR are compatible with the adjoining R2 and B1 zones, being 9m and 1:1.

The proposal also provides a significant public benefit to the community by providing services for children with learning difficulties.

For these reasons, Council has not applied the VPA Policy to the Planning Proposal.

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” (August, 2016); and
- “A guide to preparing local environmental plans” (August, 2016).

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.

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 intended outcomes of the Planning Proposal are to:

- Ensure the existing and approved use of the land is a permissible form of development in the zone.
- Ensure principal building envelope controls (height and FSR) are legislated to allow for any future redevelopment of the site.
- Provide certainty in the community in relation to any future redevelopment of the site.

Part 2: Explanation of the Provisions

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

- Changing the land use zoning from SP2 Infrastructure (Church) to R2 Low Density Residential.
- Providing a maximum height of building control of 9m (currently there is no maximum height).
- Providing a maximum Floor Space Ratio control of 1:1 (currently there is no maximum FSR).
- Amending *Schedule 1 – Additional Permitted Uses* to include *office premises; restaurant or café*.

Part 3: Justification

Section A – Need for the planning proposal

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

No, the Planning Proposal is not a direct result of any strategic study or report.

The Planning Proposal has been prepared in response to a request by Innova Capital on behalf of Learning Links; a copy of the Planning Proposal request and supporting documentation are included in **Attachment 5**.

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

The current SP2 zone under the *HLEP 2012* restricts redevelopment of sites for alternative uses by prohibiting all development types except for “roads” and “for the purposes shown on the Land Zoning Map”.

With respect to the subject site, the Land Zoning Map identifies the site for a “Church” use only. The Learning Links component of the site is defined as a community facility and was permissible under the former *Hurstville Local Environmental Plan 1994*. The child care centre was approved as a ‘pre-school kindergarten’ under BA-758 in 1968 by the former Municipality of Hurstville. The former Hurstville City Council also approved ‘office space and after school accommodation’ in 1990 under development application DA-479/90.

The SP2 Infrastructure zone under the *HLEP 2012* is considered overly restrictive to allow the range of uses that are existing on the site and is out of date as the site has not been used as a public of public worship for over 25 years.

An assessment was undertaken as to the most appropriate future zoning of the site, consistent with the surrounding zoning. The intention of the Planning Proposal is to formalise the existing uses on the site and to allow future expansion of the community facility to permit offices ancillary to the existing uses including health consulting rooms.

With respect to the adjoining R2 Low Density Residential zone, the objective of the zone is to *provide for the housing needs of the community as well as to encourage development of sites for a range of housing types. Community facilities, health consulting rooms and centre based child care facilities* would be permissible in the R2 Low Density Residential zone.

The Planning Proposal request ensures permissible land uses will become defined under the *HLEP 2012* and no longer open to interpretations under existing use rights.

The proposed Schedule 1 amendment to the *HLEP 2012* is considered the best means of achieving permissibility for the additional land uses sought by the proponent - office premises; restaurant or café.

Given these considerations, a Planning Proposal is the best way of achieving the objectives and intended outcomes.

Section B – Relationship to strategic planning framework

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The site, while not specifically identified in NSW planning strategies, is within the area of Peakhurst Heights and the context of the wider Hurstville locality. The following paragraphs outline the relevance of the various State strategies that apply to Peakhurst and Hurstville in a planning sense.

A Plan for Growing Sydney (Metropolitan Strategy)

The Planning Proposal is consistent with the aims of A Plan for Growing Sydney and achieves the following relevant Goals and Directions:

Goal 1: A competitive economy with world-class services and transport

Direction 1.10: Plan for education and health services to meet Sydney's growing needs.

The Planning Proposal will contribute towards achieving this Direction by retaining employment land that is currently used as a child care centre and community facility that helps support children with learning difficulties and disabilities. The location of the site, opposite Peakhurst South Public School, benefits the community and future residents.

Goal 3: Sydney's great places to live

Direction 3.1: Revitalise existing suburbs

The Planning Proposal will contribute towards achieving this Direction by allowing permissible uses that revitalise the local community and contribute to an attractive suburb. The proposal permits the site to be used for employment uses providing business activity for the area and meeting the needs of a growing population.

Sydney South Subregion

Priority: *Retain a commercial core in Hurstville, as required, for long-term employment growth; and provide capacity for additional mixed-use development in Hurstville including offices, retail, services and housing.*

Whilst the site is not in the Hurstville core, it will contribute to employment in the wider locality by permitting employment uses, including office premises. The objectives associated with mixed-use commercial development are achieved with this proposal as it ensures that local services, employment and housing are located in close proximity.

Draft Greater Sydney Region Plan

The Planning Proposal is consistent with the aims and provisions of the draft *Greater Sydney Region Plan*. The proposal achieves the following relevant Directions and Objectives:

Direction 3: A city for people

Objective 6: Services and infrastructure meet communities' changing needs

The proposal allows for the continuation of the existing uses on site within a permissible zone. The primary use of the site as a community facility that provides vital services to the growing community is proposed to be maintained.

Direction 7: Jobs and skills for the city

Objective 22: Investment and business activity in centres

The proposal will allow continued investment in the existing Peakhurst Heights local centre. The proposal will retain job growth which is important, particularly as Learning Links is the largest employer in the precinct.

Draft South District Plan

In relation to the revised draft South District Plan (October 2017) which proposes a 20 year vision for the South District, the Planning Proposal is consistent with the relevant planning priorities:

- S3 Providing services and social infrastructure to meet people's changing needs;
- S4 Fostering healthy, creative, culturally rich and socially connected communities;
- S6 Creating and renewing great places and local centres, and respecting the District's heritage; and
- S8 Growing and investing in health and education precincts, and Bankstown Airport trade gateway as economic catalysts for the District.

The proposal protects the employment land of the Learning Links site and the provision of existing children's educational support services in the local community.

The proposed rezoning provides opportunity for new ancillary uses to cluster around existing health and education facilities. The site's immediate adjacency and accessibility to Peakhurst South Public School addresses priorities of the Plan in relation to planning for connected and stronger economic and employment centres where proximity of health and education assets creates significant opportunity to drive economic activity and a sustainable and liveable city.

Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

The subject site is wholly located within the Georges River Catchment. This Planning Proposal does not affect the way the *Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment* applies to the site.

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

The following paragraphs outline the relevance of the various local strategies that apply to site.

Hurstville Community Strategic Plan 2025

The former Hurstville City Council endorsed the *Hurstville Community Strategic Plan 2025* as the overarching strategy for Council's objectives and operations. Key issues addressed in the City Plan that are relevant to the proposal include:

- *Building and maintaining community facilities and services.*

The proposal will allow for the retention of a centre-based child care facility and community facility within close proximity to the local centre. This is essential to meet the community's growing needs for child care centres and children services and in doing so will assist in satisfying the objective of this strategic plan in permitting the provision of more community facilities.

- *Supporting and attracting local businesses and encouraging local employment.*

The proposal will protect existing local employment opportunities. The site generates a significant amount of employment for the local area and wider community.

Draft Georges River Employment Lands Study

The draft *Georges River Employment Lands Study* ("ELS") was publicly exhibited until 31 May 2017. The ELS provides Council with a strategic direction for employment lands across the Georges River local government area to ensure that sufficient land is zoned to accommodate future employment growth.

The area to the south of the subject site is zoned B1 Neighbourhood Centre zone and is known as the **Peakhurst Heights – Pindari Road Precinct**. The draft Study considers Peakhurst Heights as a centre that has opportunity to accommodate growth. Key land uses in the zone are shop top housing and neighbourhood shops such as hairdressing, yoga studio, and podiatry.

The current development standards within the Precinct are a maximum FSR of 1.5:1 and building height limit of 9m. The draft Study makes the following recommendations in respect to the Peakhurst Heights – Pindari Road Precinct:

- a. Retain the existing B1 Neighbourhood Centre zone.
- b. Increase the maximum permitted height of buildings from 9m to 12m so as to allow realisation of the maximum FSR of 1.5:1.
- c. Review land uses in the B1 Neighbourhood Centre zone to allow additional land uses.

The subject site is not included in the Peakhurst Heights – Pindari Road Precinct as it is not zoned B1 Neighbourhood Centre.

The Learning Links facility is one of the largest employers in the Peakhurst Heights – Pindari Road Precinct. The site generates a significant amount of employment for the local area and wider community.

It comprises approximately 22 full time staff, 47 part time staff, 122 casual staff and 1 volunteer. Submissions on behalf of the subject site were made during the public exhibition of the draft Employment Lands Study requesting consideration of inclusion into the Peakhurst Heights – Pindari Road Precinct.

The site, despite currently being zoned SP2 Infrastructure plays a vital role in providing employment for the precinct. The Planning Proposal supports the viability of the Peakhurst Heights – Pindari Road Precinct.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The full assessment of the Planning Proposal against all the State Environmental Planning Policies (“SEPPs”) is provided in **Attachment 3**. Consideration of the SEPPs relevant to the Planning Proposal is provided below:

- State Environmental Planning Policy No. 55 Remediation of Land

The site is unlikely to be subject to land contamination. The site has a long history of being used as a place of public worship and child care centre. This Planning Proposal is rezoning the site to R2 Low Density Residential and permitting land uses only and will not result in any activities which would be likely to expose humans or the environment to risks of contamination. Therefore, the Planning Proposal is consistent with this SEPP.

- State Environmental Planning Policy (Educational Establishments and Child care Facilities) 2017

The SEPP aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State. The SEPP also introduces a common assessment framework comprising of the Child Care Planning Guideline and non-discretionary development standards. The Guideline contains key national requirements and planning and design guidance for child care facilities and will generally prevail over local development control plans.

The Planning Proposal is considered to be consistent with the aims of the SEPP by legitimising the existing centre-based child care facility land use on the subject site and henceforth allowing future upgrades and/or expansion of the early education facility on site. This will ensure the essential services currently provided on the site are protected whilst promoting the employment growth and viability of the Peakhurst Heights Neighbourhood Centre.

- State Environmental Planning Policy No. 19 (Bushland in Urban Areas)

The SEPP applies to land that is adjoining land zoned or reserved for public open space. The site adjoins Pindari Road Reserve which is zoned RE1 Public Recreation. The proposal does not affect the public open space land by way of erosion of soils, siltation of streams and waterways, or the spread of weeds and exotic plants.

Q6. 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
3.1 Residential Zones	The proposal is consistent with the objectives of this direction. The Planning Proposal seeks to rezone the land from SP2 to R2. The R2 zone will allow a range of residential development types as well as uses that support the local community.
6.3 Site Specific Provisions	The proposal is consistent with the objectives of this direction. The site is proposed to be rezoned to an existing zone already applying in the environmental planning instrument that permits centre-based child care facilities and community facilities.
7.1 Implementation of A Plan for Growing Sydney	The proposal is consistent with the objectives of A Plan For Growing Sydney, as assessed in this report above.

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?

The proposal is unlikely to have a negative impact on critical habitat or threatened species, populations or communities as none are known to exist on the site.

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

The proposal is to rezone the site from SP2 Infrastructure to R2 Low Density Residential and as a result there are no predicted environmental effects. The existing development on the site is deemed to possess existing use rights in that the use of a 'centre-based child care facility' was approved prior to the commencement of the *HLEP 2012*. As they are existing uses, the proposal is unlikely to result in any adverse effects to the natural or built environment. The site was approved for a 'pre-school kindergarten' under BA-758 in 1968 by the former Municipality of Hurstville. The former Hurstville City Council also approved 'office space and after school accommodation' in 1990 under development application DA-479/90.

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

The proposed development is considered to generate the following positive social and economic effects:

- Contributes to the protection of an important local shopping centre by ensuring it remains economically viable in a manner consistent with the existing approval for the site;
- Contributes to the protection of employment within the existing centre;
- Contributes to the protection of important local services, close to a residential area;
- Enhances the social infrastructure of the Peakhurst Heights area and meeting the needs of residents through the provision of a centre-based child care facility; and
- Enhances the liveability and vibrancy of the area.

Section D – State and Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

The existing infrastructure accommodates the existing development on the site. This proposal is to permit existing and additional uses only and does not include plans for development uplift. Accordingly, it is not anticipated that the Planning Proposal will place unnecessary additional demands on public infrastructure.

Q11. 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 in accordance with 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:

- 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**.

Part 5: Community Consultation

The Planning Proposal will be exhibited 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 a copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website with 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).

Part 6: Project Timeline

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

Task	Anticipated Timeframe
Anticipated commencement date (date of Gateway determination)	March 2018
Anticipated timeframe for the completion of required technical information	April 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	May 2018
Commencement and completion dates for public exhibition period	June 2018
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	July 2018
Timeframe for the consideration by Council of a proposal post exhibition	August 2018
Date of submission to the Department to finalise the LEP	September 2018

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

3. Conclusion

The Planning Proposal to rezone the site at 12-14 Pindari Road, Peakhurst Heights from SP2 Infrastructure (Church) to R2 Low Density Residential allows for the continuation of existing and approved community facility and centre-based child care facility uses.

The proposed R2 zoning is considered an appropriate zone for the site. It allows for the continuation of the existing uses on site within a permissible zone and provides greater flexibility for redevelopment of the site for future upgrades and expansions. The primary use of the site as a community facility is being maintained. The proposed new zone ensures that future uses are compatible with existing surrounding uses.

The proposed maximum FSR is 1:1 and height of building is 9m. This is considered appropriate given its compatibility with the adjoining R2 Low Density Residential zone and B1 Neighbourhood Centre zone.

For the reasons outlined above, Council requests the Department of Planning and Environment to issue a Gateway determination for this Planning Proposal.

Attachments

Provided under separate covers