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17 November 2014



Lee Mulvey
Director - Metropolitan Delivery (CBD)
Growth, Planning and Delivery
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Mulvey

Sutherland Shire Draft Local Environmental Plan 2013

[In response, please quote File Ref: LP/03/369722]

Draft Sutherland Shire Local Environmental Plan 2013 has been in the course of preparation since 2012. On 10 November 2014, Council considered report DAP043-15 on submissions received in response to the third public exhibition of Draft SSLEP2013. Council resolved to amend the draft plan as follows in response to issues raised:

1. Amend the definition of 'maritime activities' listed as an additional permissible use in Schedule 1 in Zone IN4 Working Waterfront to read:
"small maritime based industries or commercial activities that depend upon direct access to a navigable waterway, such as boat repairs, marinas and yacht clubs".
2. Amend the FSR maps to remove FSR from the unmade portion of Sussex St, Bundeena.
3. Defer the eastern side of University Road Miranda (2-22 University Rd and 660-664 Kingsway) from the draft plan to allow further consultation to be carried out with Miranda Public School in order to get the best possible outcome for the continued successful use of the Sensory Regulation Playground.
4. Amend Schedule 1 of draft plan to correct the location 84 Kareena Road (Lot 9A DP 420748) as being in Miranda, not Caringbah.
5. Amend the definition of the permissible use for the purposes of nominating the land use in Schedule 1 (Additional Permitted Uses) to read as follows:
animal training establishment means a building or place used for the training, or caring of animals for commercial purposes (other than for the agistment of horses).
6. Correct the Landscaped Area Map to rectify the mapping error in the E3 and E4 zones at Bundeena, Maianbar, Waterfall, Sandy Point, Gynea Bay and Kirrawee to accurately reflect Council Resolution CCL007-15, of a 40%

landscaped area requirement for the E3 Environmental Management and E4 Environmental Living.

Council hereby submits the amended plan for the Minister for Planning for finalisation and the making of the plan.

In making the plan, Council requests the Minister for Planning to return the development standards applying to 10-22 Merton Street, Sutherland to those exhibited in LEP1, being a height limit of 20m and a FSR 1.5:1. However, in the event that the Minister is of the view that this change requires public exhibition, Council requests that the Minister defer the land from the Local Environmental Plan.

Council also considered the views expressed by the public authorities who made a submission in response to the exhibition of the draft plan. In response, Council resolved to refer the following unresolved issues to the Minister for Planning for consideration and resolution in the course of finalisation and making of the plan:

1. Zoning of Lots 11 and 12 DP 9060 (land along Kingsway, Miranda adjacent to Port Hacking High School)
2. Zoning of the F6 corridor
3. Zoning of the site known as C21 Captain Cook Drive, Woollooware
4. Zoning of Towra Point Aquatic Reserve and Shiprock Aquatic Reserve
5. Zoning and permissible uses on the former Scout Land, Bundeena and the adjacent portion of Sussex Street

As the draft SSLEP2013 incorporates the zoning of the waterways of the Shire, in accordance with Section 58(4) of the Environmental Planning and Assessment Act, Councils request the Minister for Planning not to proceed with the existing Waterways Planning Proposal (PP_2013_SUTHE_004_00).

Sutherland Shire Council looks forward to the finalisation of the draft plan. Should the Department wish to discuss any elements of the draft plan, or obtain any further information, please contact Mark Carlon – Manager Environmental Planning Unit on 9710 0523 or mcarlon@ssc.nsw.gov.au.

Yours faithfully



Peter Barber - Director Planning and Environment
for J W Rayner
General Manager