



Business Paper

Shire Strategic Planning Committee

Monday, 2 December 2019

6:30pm

Council Chambers,
Level 2, Administration Building,
4-20 Eton Street, Sutherland

SUTHERLANDSHIRE

ORDER OF BUSINESS

1. ACKNOWLEDGEMENT OF COUNTRY

2. APOLOGIES

3. DISCLOSURES OF INTEREST

4. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

5. PRESENTATIONS

6. REPORTS FROM OFFICERS

- PLN039-19 Results of Exhibition of Draft Local Strategic Planning Statement (pg 3)
- PLN040-19 Exhibition of Draft Amendment to Sutherland Shire Local Environmental Plan 2015 - Local Heritage listing of 65 Hotham Road GyMEA (pg 28)
- PLN041-19 Quarterly Report Clause 4.6 Variations Register (July to September 2019) (pg 70)
- PLN042-19 Sutherland Shire Local Planning Panel - Lodgement of Disclosures of Interest and Other Matters in Written Returns for the Period 01 July 2018 to 30 June 2019 (pg 75)
- PLN043-19 Exhibition Results From Wattlebird Bushland Reserve (pg 121)

7. QUESTIONS

8. CONSIDERATION OF BUSINESS IN CLOSED SESSION

9. CONFIDENTIAL REPORTS FROM OFFICERS

PLN043-19 EXHIBITION RESULTS FROM WATTLEBIRD BUSHLAND RESERVE

PLN043-19

Attachments: Nil**EXECUTIVE SUMMARY**

- 153R Gannons Road, Caringbah (Lot 108 DP 5179) is the parcel of land generously gifted to Council by the owner of 153 Gannons Road so that it can become an extension to Wattlebird Bushland Reserve.
- The draft Planning Proposal to rezone the land received Gateway Determination from the Department of Planning, Industry and Environment on 11 September 2019, and was publicly exhibited for 28 days between 2 October 2019 and 30 October 2019.
- During this time, Council received 5 public submissions. Of those submission, 4 were supportive and 1 was opposed to the proposal. The objection does not raise any issue that would warrant amendment to the Planning Proposal.
- Accordingly, it is recommended that the Planning Proposal proceed to be made as exhibited.

REPORT RECOMMENDATION

THAT:

1. Council formally request Parliamentary Counsel prepare and make a legal instrument to implement the Planning Proposal to amend Sutherland Shire Local Environmental Plan 2015 in relation to the zoning of 153R Gannons Road, Caringbah (Lot 108 DP 5179), known as Wattlebird Reserve.
2. On receipt of the Opinion of the Parliamentary Counsel's Office that the legal instrument can be made, in accordance with the Power of Attorney dated 24 October 2018 (Registered 29 October 2018, Book 4751 No. 700), Manjeet Grewal, Council's Chief Executive Officer execute any necessary documentation to give effect to this resolution.

PURPOSE

This report informs Council of the results of the public exhibition of Planning Proposal to amend SSLEP2015 for 153R Gannons Road, Caringbah South - Wattle Bird Bushland Reserve, and seeks endorsement for its implementation.

BACKGROUND

Number 153R Gannons Road, Caringbah South has been created as a lot from the generous donation of the original land owner so that the land could be added to Wattlebird Bushland Reserve. The land will be maintained by Council as a bushland reserve.

Council acquired the land on 17 January 2019. In accordance with Section 31 of the *Local Government Act 1993*, the land is now classified as 'Community Land'.

Council resolved ([PLN036-18](#), 4 June 2018) to rezone the land at 153R Gannons Road, Caringbah South (Part Lot 108 DP5179) from R2 Low Density Residential to RE1 Public Recreation, and to reclassify the land as 'Community'

The Planning Proposal was referred to the Sutherland Shire Local Planning Panel 21 May, 2019. The Panel gave its support to the Planning Proposal proceeding to Gateway. The Panel recommended that the land be zoned E2 Environmental Conservation, rather than RE1 Public Recreation, to ensure consistency with zoning of the adjoining reserve. Officers acknowledged that this is a better outcome and Council resolved to amend the Planning Proposal accordingly.

DISCUSSION

The Planning Proposal was exhibited from 2 October 2019 until 30 October 2019, with 5 submissions received from the public. Submission 2, 3, 4 and 5 were all supportive of the proposal. They expressed their support for additional public open space and for land protected by E2 Environmental Conservation zoning. The re-zoning will help preserve the natural qualities of the locality into the future.

Submission 1, was opposed to the area being rezoned E2, and stated that the area should be used for housing. This suggestion is inconsistent with the terms upon which 153R Gannons Road was donated to Sutherland Shire Council and accepted, being that it remain in its bushland state for the community's benefit. The rezoning ensures the reserve is protected as per the previous owner's wishes. Therefore it is not appropriate to change the planning proposal to facilitate housing.

Consequently, it is recommended that the planning proposal proceed as exhibited.

RESOURCING STRATEGY IMPLICATIONS

Management of Councils Local Environmental Plan is conducted within the existing budget and resources of Strategic Planning.

COMMUNITY ENGAGEMENT

On 11 September 2019, NSW Department of Planning, Industry and Environment issued Gateway determination allowing the public exhibition of the Planning Proposal. The exhibition of the draft amendment was held for a period of 28 days from 2 October 2019 until 30 October 2019, in accordance with the requirements of the Environmental Planning and Assessment Act, 1979. During this time, 5 submissions were received and these are discussed above.

STRATEGIC ALIGNMENT

Council has an *Environment Strategy 2013* that supports Council's LEP 2015. An objective of this strategy is "To protect and enhance local biodiversity". Moreover this proposal assists Council in meeting the following strategic objective:

Community Strategic Plan Strategy	Delivery Program (2017-2021) Deliverables
2.2 Enhance and protect diverse natural habitats	2D Review and implement the Urban Tree and Bushland Policy and Programs.

POLICY AND LEGISLATIVE REQUIREMENTS

The acquisition of the land will help Council meet its policy objectives within the *Urban Tree and Bushland Policy*, more specifically "To improve the quality and increase the quantity of bushland and the tree canopy throughout the Sutherland Shire".

CONCLUSION

The addition of this parcel of land to Wattlebird Bushland Reserve will increase bushland and open space available to residents, while helping preserve the natural qualities of the locality and biodiversity into the future. This is a good public outcome and warrants the Planning Proposal proceeding as exhibited.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Manager Strategic Planning, Mark Carlon who can be contacted on 02 9710 0304.

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