



Ku-ring-gai Council

PLANNING PROPOSAL

**To Allow Two Additional Uses
(Car Park and Restaurant/Café)
on 51, 55, 55A Lindfield Avenue, Lindfield**

Submitted by glendinning minto & associates p/l

Amended by Ku-ring-gai Council

September 2014

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INTRODUCTION

Overview

This Planning Proposal relates to the following land:

Address	Lot No.	DP/SP No.
51 Lindfield Avenue, Lindfield	Lots 1-8	DP 4880 SP 31270
55A Lindfield Avenue, Lindfield	Lot A	DP 311108
55 Lindfield Avenue, Lindfield	Lot B	DP 311108

This Planning Proposal seeks modification of the *Ku-ring-gai Local Environmental Plan (Local Centres) 2012* (KLEP (Local Centres) 2012) to allow 2 additional uses on the above 3 sites zoned R4 High Density Residential. The changes will allow the following uses associated with B2 Local Centre zoning to occur within the R4 zone on these 3 sites:

1. Car Park.
2. Restaurant and Café to a maximum of 100sqm total floor area.

The Planning Proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

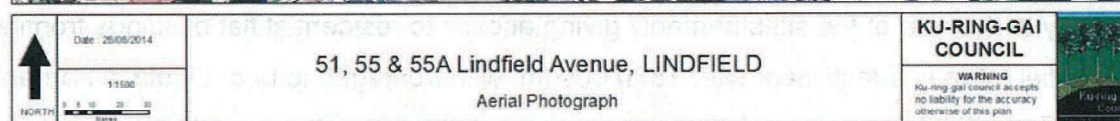
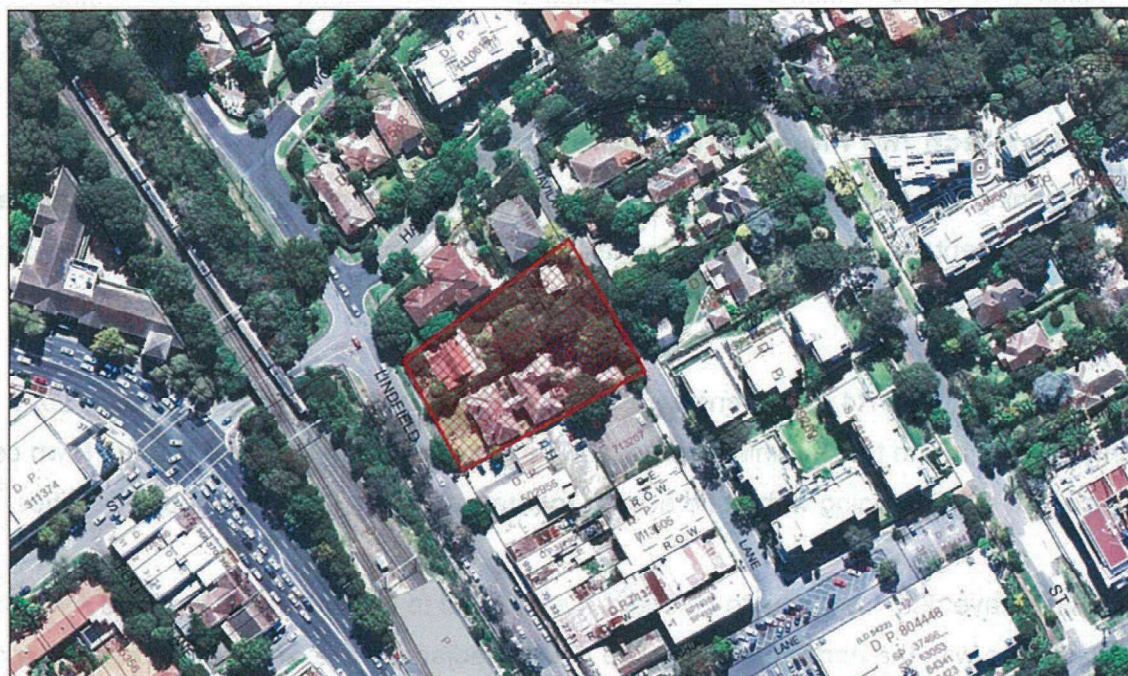
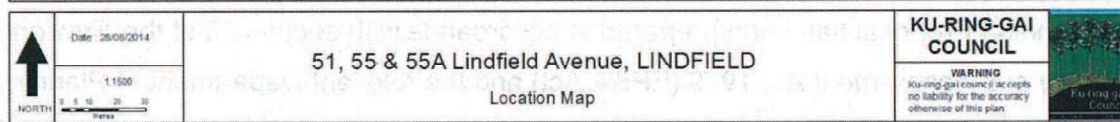
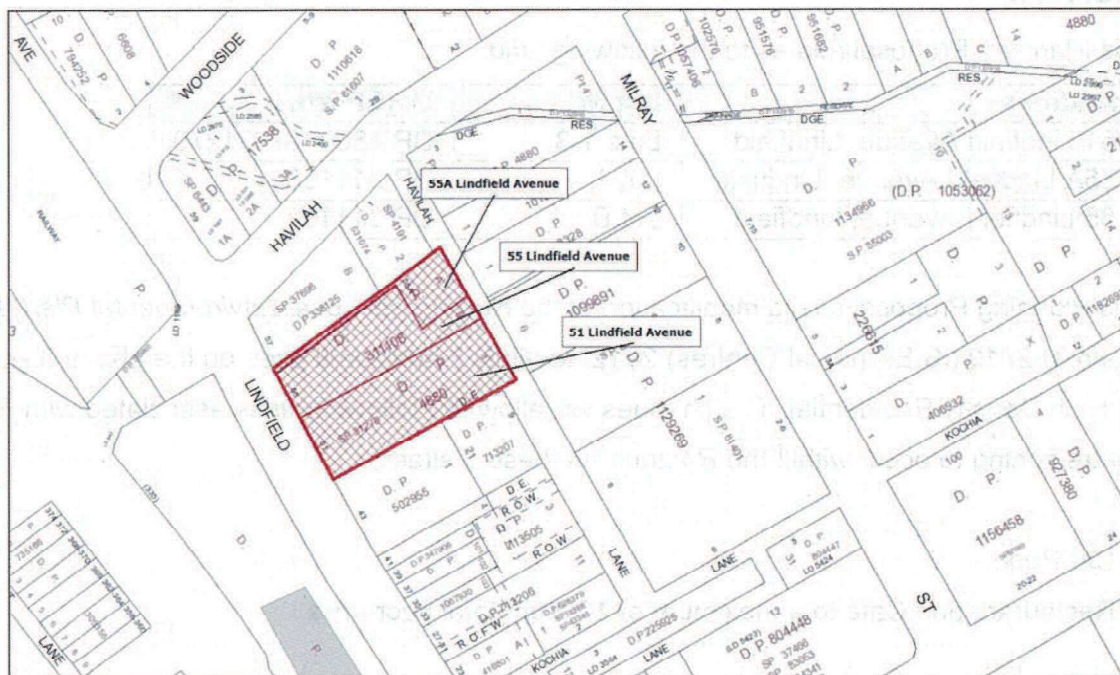
Land to which the Planning Proposal applies

This Planning Proposal relates to 3 sites as described and mapped below. Additional maps, including current zoning and development standards, are provided in *Part 4 – Mapping* of this Planning Proposal.

All 3 sites are zoned R4 High Density Residential under the *KLEP (Local Centres) 2012* and are considered jointly in this Planning Proposal. The sites are located in the Lindfield town centre adjacent to the B2 zoning with good access to retail, commercial and transport facilities.

All 3 sites have dual frontages to Lindfield Avenue and to Havilah Lane. Lindfield Ave is a main thoroughfare with the northern railway line running adjacent to it, and Havilah Lane is a narrower roadway to the rear of the sites primarily giving access to residential flat buildings fronting the lane. 51 Lindfield Ave is a rectilinear site, 1870.00sqm, with frontages to both Lindfield Ave and Havilah Lane. 55 Lindfield Ave is a predominantly rectilinear site, 1391.00sqm, with frontage to Lindfield Ave and a lesser frontage to Havilah Lane. 55A Lindfield Ave is a rectilinear site, 480.60sqm, with frontage to Havilah Lane and a narrow access way to Lindfield Ave.

The 3 sites currently house a residential flat building, a single dwelling and a timber building used as a card (social) club. None of the existing properties are heritage listed.



Background

This Planning Proposal was submitted to Council by planning consultants Glendinning Minto & Associates p/l on behalf of WZRM Pty Ltd, with the consent of all other landowners of the sites.

The Planning Proposal was lodged by the applicant following Council's inability to support a Development Application (DA) to develop 4 sites, including those that are the subject of this Planning Proposal. The DA sought approval for the development of 43-49, 51, 55 & 55A Lindfield Avenue, Lindfield, as one consolidated site, to erect a series of 5 to 8 storey buildings comprising mixed use and residential flat development. The buildings were to accommodate a retail commercial space, a neighbourhood shop, 63 residential apartments and 3 basement floor levels of carparking across the sites zoned B2 (43-49 Lindfield Ave) and R4 (51, 55 & 55A Lindfield Ave). (See Appendix C – Concept Drawings). The DA was refused by Council due to, amongst other reasons, the permissibility of B2 uses on R4 land and the development's treatment of the endangered Sydney Turpentine Ironbark Forest (STIF) ecological community. An appeal at the Land and Environment Court was dismissed (August 2014) based on biodiversity issues and the removal of 3 trees forming part of the endangered STIF ecological community on the R4 sites. It is expected that the Applicant will lodge a revised DA.

The intent of this Planning Proposal is to enable the 3 sites to be developed in a manner that will support the development of the adjoining B2 zoned land without compromising the site's ability to continue to provide R4 high density residential development at this location. The Planning Proposal will also enable the sites to be integrated with the development of the adjacent B2 zoned site at 43-49 Lindfield Ave (not part of this Planning Proposal) by enabling commercial vehicle access and parking to support the adjacent B2 zone land at 43-49 Lindfield Ave, and by facilitating limited restaurant/café use.

Given that the land to the east of the sites, along Lindfield Ave, has already been consolidated into one mixed use development, it is likely that a better development outcome would be achieved through the proposed consolidation, as opposed to a smaller mixed use/shop top housing development adjacent to the R4 development with very little transitional interface between the separate development types. Site consolidation offers the opportunity of a more considered outcome and interface between the R4 and B2 lands at this location within the Lindfield local centre.

PART 1 – OBJECTIVE AND INTENDED OUTCOMES

This Planning Proposal seeks approval for the modification of the *KLEP (Local Centres) 2012* to allow 2 additional uses on the R4 High Density Residential sites at 51, 55 & 55A Lindfield Avenue, Lindfield. The modification will allow the following uses associated with B2 Local Centre zoning to occur within the R4 zone on these 3 sites:

1. Car Park.
2. Restaurant and Café use to a maximum of 100sqm total floor area.

Enabling these additional uses on the R4 sites, will result in the orderly and economic use of land within the Lindfield local centre. The additional uses will enable future development to be integrated across the consolidated development site which includes the adjacent B2 zoned site at 43-49 Lindfield Ave (not part of this Planning Proposal). The Planning Proposal will facilitate a positive planning outcome by supporting site consolidation and integration despite the split R4 and B2 zoning, and enable a low impact interface between the two zonings and their associated uses.

Given the site is in the Lindfield local centre, the 2 additional uses will support the provision of retail and commercial uses that form the key characteristic of the centre. The additional uses will firstly, facilitate car parking provision to support the adjacent mixed use development at a location where there is high demand for public parking associated with the use of the local centre; and, secondly, allow a restaurant/café development on Lindfield Avenue which will extend the retail frontage to this thoroughfare thereby improving street activity at this location. Both of these additional uses will contribute to the activation of Lindfield Ave and add to the local centre ambience and character whilst facilitating an orderly transition between B2 and R4 zoned land.

The proposed additional uses would result in a positive outcome for the locality and in no way detract from the provision of quality residential development on the sites. The modifications sought in this Planning Proposal would provide the adjacent B2 zoned site with rear lane access for commercial supply vehicles, as vehicular access from Lindfield Avenue is not permitted under Council's DCP due to traffic and streetscape implications on Lindfield Ave; and, it will enable the separation of residential and retail/commercial visitor parking by enabling its partial provision on the R4 zoned sites.

The R4 zoning on 51, 55, & 55A Lindfield Ave does permit a "*Neighbourhood Shop*" use on the sites; however, this use does not include a food and drink premises. Given the proximity of other retail facilities that would provide the same amenities as a neighbourhood shop, this Planning

Proposal seeks to expand the use of the neighbourhood shop to allow a restaurant/café use within the limited 100sqm designated for a neighbourhood shop under cl 5.4 of the KLEP (Local Centres) 2012. Enabling this use would provide an opportunity for the provision of a restaurant/café use along Lindfield Ave, and would contribute and enhance the local streetscape by presenting a use that has the potential to engage and encourage pedestrian traffic, thereby activating the street frontage at this location. In addition, a café/restaurant would be in keeping with the local character given the proximity of the sites to the B2 local centre area, and also given that Lindfield Ave is a primary street within the Lindfield commercial centre.

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks the modification of the *KLEP (Local Centres) 2012* to include 2 additional uses on the sites. These uses will allow limited retail floor space for use as a restaurant/café, and carparking with associated commercial vehicle access and unloading facilities allowable within the adjoining B2 zoning.

It is proposed that this modification be enabled by an amendment to *Schedule 1 – Additional Permitted Uses* of the *KLEP (Local Centres) 2012 Written Instrument*. The modification will not result in any change to the *KLEP (Local Centres) 2012 Mapping*. The wording of the modification may be stated as below:

Schedule 1 – Additional Permitted Uses

29 Use of certain land at 51, 55 & 55A Lindfield Avenue, Lindfield

- (1)** *This clause applies to land at 51, 55 & 55A Lindfield Avenue, Lindfield, being Lots 1-8 DP 4880 and SP 31270, and Lots A & B in DP 3111108.*
- (2)** *Development for the following purposes is permitted with development consent:*
 - (a)** *Car Park.*
 - (b)** *Restaurant or café with 100sqm maximum floor area.*

PART 3 - JUSTIFICATION

A. Need for the planning proposal

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

No. This Planning Proposal is not the result of a specific strategic study or report, however, it is consistent with and supports existing strategic documents.

This Planning Proposal seeks to provide an outcome consistent with the *KLEP (Local Centres) 2012* and supportive of the objectives and vision of the *Local Centres Development Control Plan (Local Centres DCP)*. The key *Local Centres DCP* aims that this Planning proposal supports are:

- Establish a future character for Ku-ring-gai's local centres;
- Provide high quality public spaces and streets;
- Encourage the provision of a range of building types which provide for increased housing choice, diversity of employment opportunities, access to retail and commercial services and other activities that contribute to a sustainable vibrant community;
- Ensure buildings and other development have a good relationship with neighbouring developments, the public domain and the landscape qualities of the locality;
- Provide traffic control measures and outcomes that manage and improve local traffic impacts and promote pedestrian safety;

The *Metropolitan Strategy* and the *Draft North Subregional Strategy* both indicate that economic growth should be concentrated in town centres. The subject sites form part of the Lindfield local centre and as such are consistent with this objective as the proposed 2 additional uses will support a retail use on the site which will contribute to the local centre character, and also support adjacent retail/commercial uses through enabling retail/commercial vehicular access and car parking.

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

Yes. This Planning Proposal amending the *KLEP (Local Centres) 2012 Written Instrument* is the most efficient means of achieving the required objectives and outcomes. The modifications are limited to 2 specific uses tied to 3 specific R4 sites

which are on the boundary of retail/commercial B2 zoned lands. By including the additional uses in *Schedule 1* of the *KLEP (Local Centres) 2012*, this Planning Proposal would limit the setting of a precedent across all R4 lands as the 2 additional uses would be tied to these 3 specific R4 sites given their unique proximity adjacent to B2 lands with a rear access laneway, and on a key thoroughfare within the Lindfield local centre.

The other means of achieving this outcome would be to rezone the 3 sites to B2 which would also allow the proposed additional uses. This is not favoured as it would result in a significant loss of R4 land in the Lindfield town centre. In addition, B2 development would have a substantial impact on the existing residential developments adjacent to these sites as well as those opposite on Havilah Lane in terms of height, density and uses.

B. Relationship to strategic planning framework

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?*

Yes. The Planning Proposal is consistent with the *Sydney Metropolitan Strategy 2036* and the *North Subregional Draft Subregional Strategy* by promoting the orderly and economic delivery of a new development area in the Lindfield local centre.

The Planning Proposal seeks to expand and enhance the existing Lindfield local centre by broadening the permissible R4 uses to include a restaurant/café; and, by permitting commercial related carparking facilities that support mixed use commercial/residential development on the adjacent site at 43-49 Lindfield Ave.

The 2 additional uses will increase the likelihood of quality commercial development occurring on the R4/B2 split zoning site (51, 55, 55A Lindfield Ave (R4) plus 43-49 Lindfield Ave (B2)). The additional uses will improve the viability of any development on the consolidated site, and enable a new retail/commercial area to be placed adjacent to the B2 development. The uses will facilitate additional retail/commercial development as required by the *Sydney Metropolitan Plan 2036* and the *draft Sydney North Sub-regional Strategy*

The Planning Proposal is consistent with the centres hierarchy identified for the sub-region. The key directives relevant to local centres within Ku-ring-gai as identified in the *North Subregional Draft Subregional Strategy* are:

1. Better access to a variety of housing choice.
2. Enhance the local centres in the sub-region.
3. Improve public transport access to, from and within the sub-region.

To this end the sites are located within approximately 100m of the entrance of Lindfield Railway Station which forms part of the rail network connecting the north shore to the city. In addition, the Lindfield town centre supports a full range retail shopping facilities as well as a range of smaller shops and services including banks, post office, medical rooms and other services likely to be required by residents on a regular basis. All these services and facilities are readily accessible via the local pedestrian network placing the sites in an ideal location.

The redevelopment of the consolidated site, facilitated by the additional uses proposed in this Planning Proposal, has the potential to revitalise the western portion of Lindfield Avenue by allowing

- a viable restaurant/café use which will increase the retail space in Lindfield, provide new employment, and activate the local centre street frontage;
- commercial carparking which will enable the orderly and economic development of the adjacent B2 zoned land.

The provision of the minor increase in employment opportunities via the restaurant/café is consistent with both the *Sydney Metropolitan Strategy 2036* and the *North Subregional Draft Subregional Strategy* together with the recommendations of the *Hornsby-Ku-ring-gai Employment Lands Study 2008*.

The Planning Proposal will continue to support the provision of new residential development within the Lindfield local centre by virtue of the sites' R4 zoning and thereby will continue to assist Council in meeting the required dwelling target by providing housing choice within the local centre as required by the *North Subregional Draft Subregional Strategy*.

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

Yes. This Planning Proposal is consistent with the outcomes stated under the six themes of the *Ku-ring-gai Council Community Strategic Plan 2030*. The themes, listed below, seek to provide for a sustainable environment for Ku-ring-gai's future.

1. Community, People and Culture
2. Natural Environment
3. Places, Spaces and Infrastructure
4. Access, Traffic and Transport
5. Local Economy and Employment
6. Leadership and Governance

The changes sought in this Planning Proposal specifically support the 2 following themes:

Places, Spaces and Infrastructure theme which states:

- principles of preserving Ku-ring-gai's unique visual character, identity and visual amenity of the centres;
- revitalisation of the local centres through provision of a broad range of shops and services contributing to a lively urban village spaces and places where people can live, work, shop, meet and spend leisure time;
- Improvement of the standard of infrastructure which meets the community's expectations and needs;

Local Economy and Employment theme which states:

- principles of making Ku-ring-gai an attractive location for business investment
- promoting Ku-ring-gai's opportunities and assets to strengthen and attract business and employment the area.

This Planning Proposal seeks to facilitate the revitalisation of an under-utilised part of the Lindfield local centre having regard to its proximity to public transport. The 2 additional uses proposed in this Planning Proposal will provide new restaurant/café floor space which has the potential to activate the street frontage at this location (through interaction with pedestrian traffic throughout the day and evenings). Enabling carparking facilities (that support the adjacent B2 zoning) will result in a viable town centre development on this R4/B2 consolidated site. The development of the adjacent

B2 site for retail/commercial facilities, including services such as medical rooms, post office and shops, will contribute to the street activation as well as ensure the local community has supporting services that meet their requirements regardless of age and demographic grouping. Such services coupled with appropriate housing, will enable stability in the local community as people are more likely to remain and age within the area.

The improvement of street activation through promotion of interactive retail/commercial uses will result in the revitalisation of the centre as well as promoting growth in local business and employment. In this way these 2 additional uses support the “*Local Economy and Employment*” and the “*Places, Spaces and Infrastructure*” themes that the *Ku-ring-gai Council Community Strategic Plan 2030* promotes.

The modifications proposed in this Planning Proposal are not inconsistent with the other community, transport, governance and environmental strategies stated under the other themes of the *Ku-ring-gai Council Community Strategic Plan 2030*.

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

There are no SEPPs applicable to this Planning Proposal.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The following table identifies applicable Section 117 Directions and outlines this Planning Proposal's consistency with those Directions. A checklist of compliance with all Section 117 Directions is contained at Attachment A.

Directions under S117	Objectives	Consistency
1. EMPLOYMENT AND RESOURCES		
1.1 Business and Industrial Zones	The objectives of this direction are to: (a) Encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and support the viability of identified strategic centres, (c) support the viability of identified strategic centres.	Consistent. The Planning Proposal will allow the sites to be redeveloped in a way that will encourage employment growth. By providing commercial car parking on the sites, this Planning Proposal seeks to support the viability and the patronage of adjacent retail/commercial uses which will result in employment growth in this locality. In addition, the new restaurant/café that will be allowed through this Planning Proposal will generate employment.
2. ENVIRONMENT AND HERITAGE		
2.1 Environment Protection Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Consistent. The <i>KLEP (Local Centres) 2012</i> identifies an area of biodiversity significance (Sydney Turpentine Ironbark Forest) which would continue to apply to the subject sites. The 2 additional uses sought in this Planning Proposal, and any future development of the sites to include the additional uses, would be required to demonstrate compliance with the relevant provisions of the

Directions under S117	Objectives	Consistency
		<i>KLEP (Local Centres) 2012</i> in protecting any area of biodiversity significance. This development compliance would be dealt with as part of the assessment of any DA for the site and would not be overridden by this Planning Proposal.
3. HOUSING, INFRASTRUCTURE AND URBAN DEVELOPMENT		
3.1 Residential Zones	The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.	Justifiably inconsistent. The Planning Proposal will result in 100sqm of floorspace being allocated to restaurant/café use. This will mean a potential 100sqm reduction in floor area of residential use on the site. The loss of 100sqm residential floor area is considered minor in size and will not detract from the provision of residential on the sites. Further to this, the planning proposal will not prevent the residential R4 zoned site from maintaining consistency with the objectives of this Direction as explained below: - the proposal does not seek to reduce the permissible residential density of the R4 site; - the R4 site will broaden the choice of building types available in the local housing market; - the R4 site will make more efficient use of existing infrastructure and services associated with the local centre; - the R4 site will reduce the consumption of land for housing and associated urban development;

Directions under S117	Objectives	Consistency
		- the R4 site will provide development of good design.
3.4 Integrating Land Use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.	Consistent. The Planning Proposal seeks 2 additional uses to residential zoned land which are retail/commercial based and therefore will increase local employment in a vicinity where there is an established rail and bus network. The uses will provide highly accessible facilities for local pedestrians as well as those using public transport or private vehicles.
6. LOCAL PLAN MAKING		
6.1 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Consistent. The Planning Proposal does not seek to introduce provisions which require the concurrence, consultation or referral of development applications to a Minister or public authority.
6.3 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	Justifiably Inconsistent. The Planning Proposal seeks to include 2 additional uses on R4 zoned land. One of the uses, "Restaurant and Café" has a restriction of 100sqm floor area specific to the sites. This inconsistency is minor and considered justifiably inconsistent. The limitation of

Directions under S117	Objectives	Consistency
		floor space, whilst contributing to the local centre street activity character, will not be of a size to severely impact the provision of residential accommodation on the R4 land. In addition, the small scale restaurant/café development will ensure a limited impact on the amenity of adjacent residential units. Further to this, the additional restaurant/café use seeks to promote the orderly and economic use of land within Lindfield centre by generally broadening the allowable uses to support retail/commercial uses on the R4 zoned land.
7. METROPOLITAN PLANNING		
7.1 Implementation of the Metropolitan Strategy	The objective of this direction is to give legal effect to the vision, land use strategy, policies, outcomes and actions contained in the Metropolitan Strategy.	Consistent. The Planning Proposal seeks to utilize the site's proximity to Lindfield Railway Station and to expand upon the services and facilities provided within the Lindfield town centre. Development on the sites to include the proposed 2 additional uses will contribute to meeting local commercial/retail needs in the <i>Metropolitan Plan</i>.

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?***

There is no identified critical habitat or threatened species, populations or ecological communities that will be adversely affected by this Planning Proposal.

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

The current provisions of the *KLEP (Local Centres) 2012* identifies an area of biodiversity significance (Sydney Turpentine Ironbark Forest) affecting the rear portion of No. 51 & 55 Lindfield Avenue. Those provisions would continue to apply to the subject sites and any site development to include the 2 additional uses, stated in this Planning Proposal, would require compliance with the *KLEP (Local Centres) 2012* provisions. Compliance with the relevant provisions of the *KLEP (Local Centres) 2012* and the need to have regard to protecting any area of biodiversity significance will be dealt with through a DA and would not be overridden by this Planning Proposal. This has been demonstrated by the recent LEC case dismissing the current DA on the site due to its impact on the biodiversity of the site.

The current provisions of the *KLEP (Local Centres) 2012* do not identify any item of heritage significance on any of the sites covered by this Planning Proposal. It should be noted that an Interim Order Request was made to OEH for the Lindfield Club premises at 55A Lindfield Ave. The recommendation letter from OEH, dated September 2013, did not support that request as the structure was considered unlikely to meet the threshold for State Listing and had previous assessments stating it to be of Local Significance. The recommendation also supported the potential relocation of the building by the developer and Council's consideration of its Local Listing subsequent to any relocation.

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

This Planning Proposal will result in positive social and economic effects by providing for the more orderly and economic development of the sites. The proposal seeks to revitalise the western portion of the Lindfield local centre through the provision of 2 additional uses which will enable increased employment opportunities through a new

restaurant/café area; and, the provision of improved services and facilities for local residents and visitors via parking facilities that improve the accessibility to local retail/commercial facilities. Improved parking will facilitate easy access and use of the town centre by visitors and shoppers.

D. State and Commonwealth interests

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

The subject sites have a high level of access to public infrastructure. They are located opposite the Lindfield Railway Station, which forms part of the Cityrail northern line network, and are in close proximity to the Pacific Highway and a number of local bus routes.

The sites also have good access to a number of community facilities, including Lindfield Library and health related services. The sites are adjacent to existing and proposed areas of retail facilities, open space, childcare and churches, and have established bus routes to local schools.

Q11. *What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

At this stage, the appropriate State and Commonwealth public authorities have not been identified or consulted, and the Gateway Determination has yet to be issued by the Minister for Planning and Infrastructure. Consultation with the following Government authorities, agencies and other stakeholders are proposed:

- Roads and Maritime Services (formerly the RTA) NSW
- Office of Environment and Heritage

Council seeks confirmation of the above list and any other addition through the Minister's Gateway Determination.

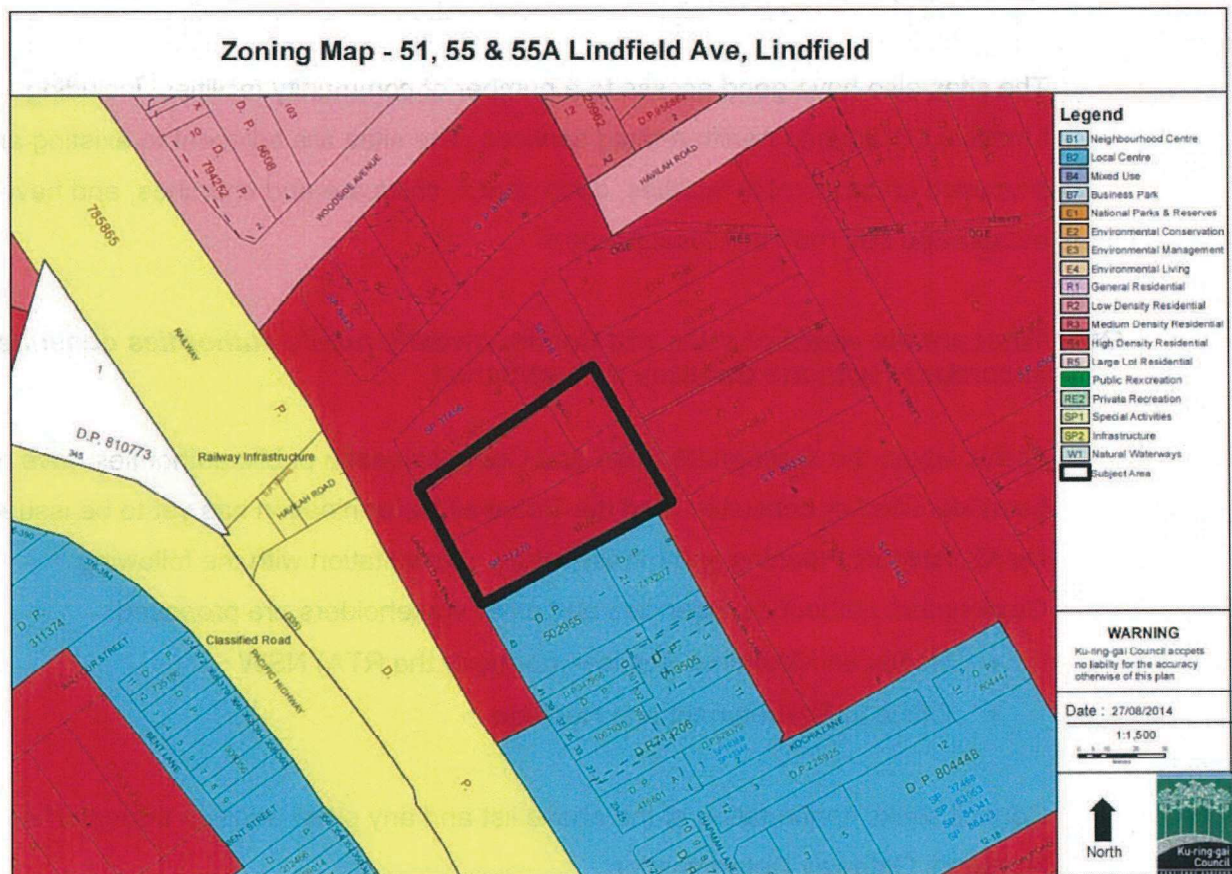
Council will seek the plan making delegation under Section 23 of the Environmental Planning and Assessment Act to finalise the Planning Proposal. This involves Council taking on the Director General's function under s59(1) of the EP&A Act in liaising with the Parliamentary Counsel's Office (PCO) to draft the required local environmental plan to give effect to the Planning Proposal as well the Minister's function under s59(2) of the EP&A Act in making the Plan.

PART 4 - MAPPING

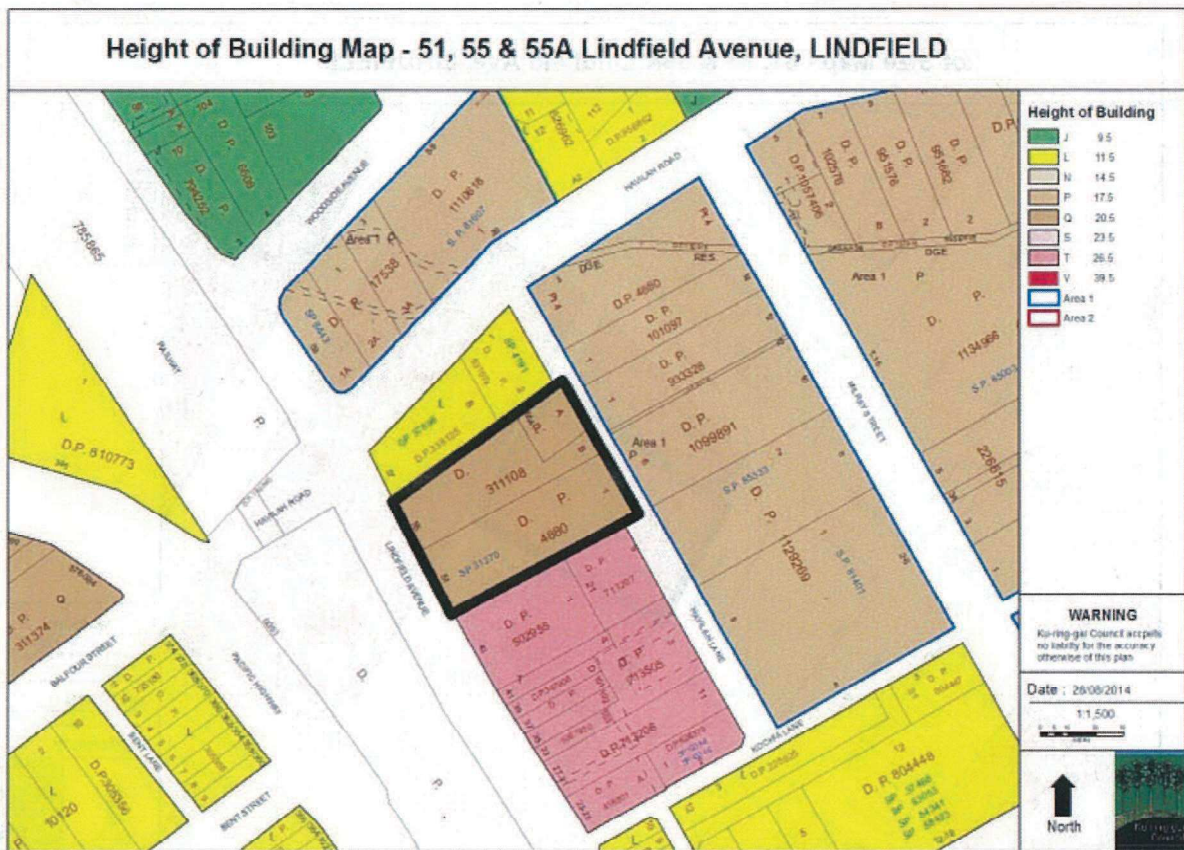
This Planning Proposal does not involve any changes to the *KLEP (Local Centres) 2012 Mapping* which applies to the subject sites. The amendment sought through this Planning Proposal is solely to the *KLEP (Local Centres) 2012 Written Instrument*.

To provide clarity on the existing zoning and standards on the subject sites, the current *KLEP (Local Centres) 2012* map excerpts are indicated within this section.

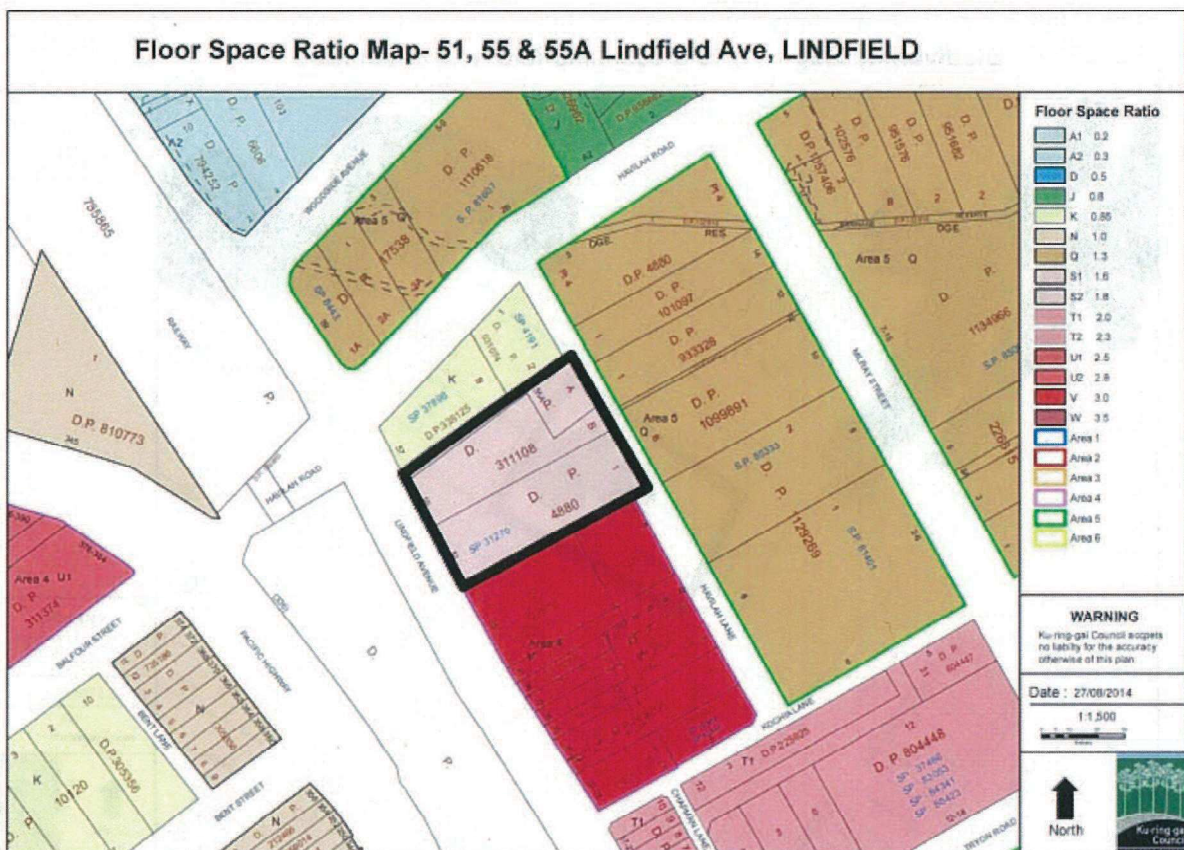
Zoning Map:



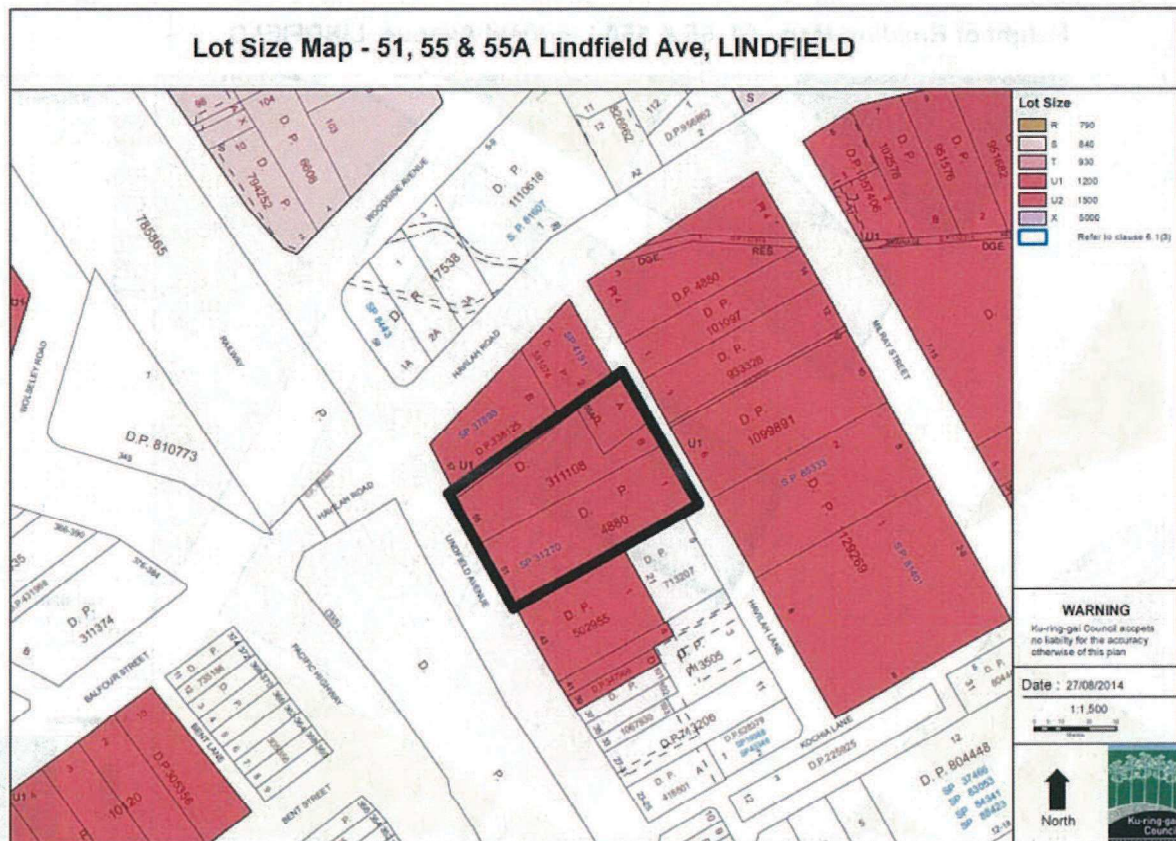
Building Height Map:



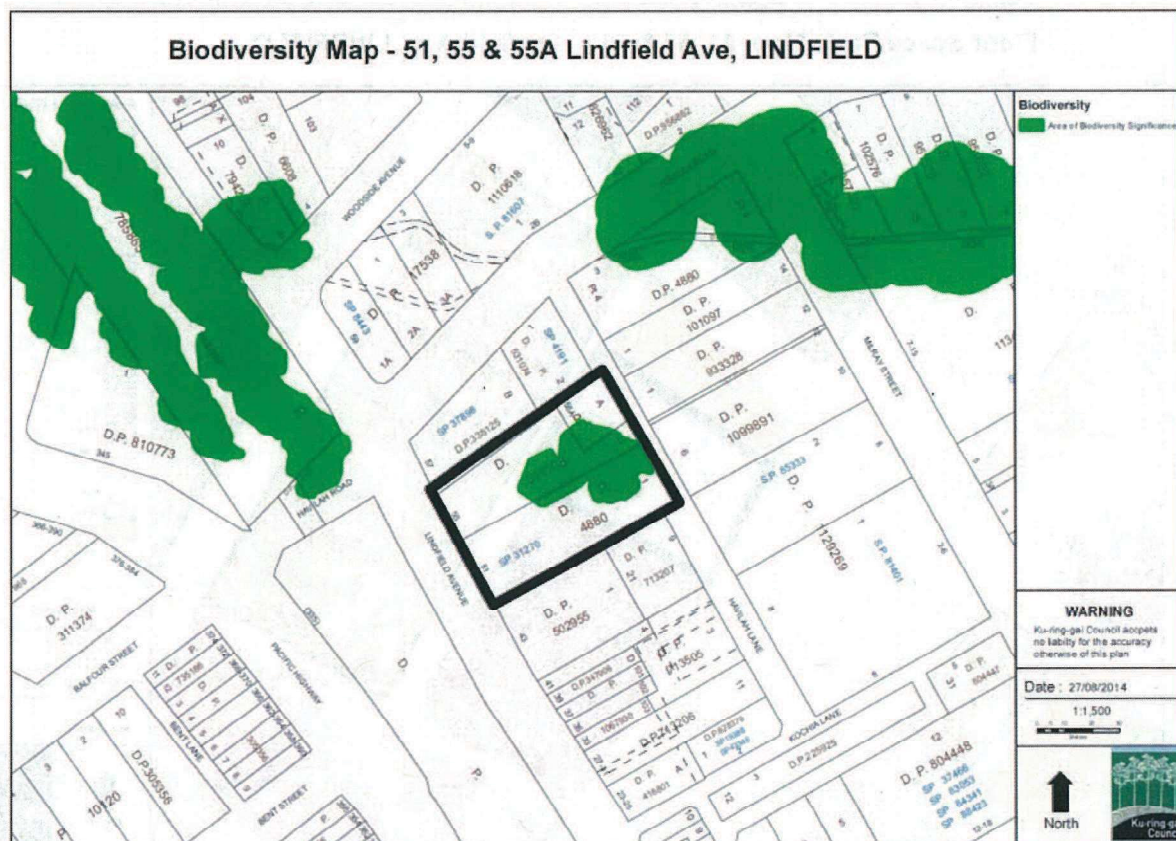
FSR Map:



Lot Size Map:



Biodiversity Map:



PART 5 – COMMUNITY CONSULTATION

Details of the community consultation that is to be undertaken on the planning proposal

This Planning Proposal will require exhibition in accordance with the requirements of Section 57 of the *Environmental Planning & Assessment Act* and/or any other requirements as determined by the Gateway process under *Section 56 of the EP & A Act*.

Community consultation on the Planning Proposal will be undertaken by Council (subject to receiving a determination to proceed at the Gateway) in accordance with the publication "*A Guide to Preparing Local Environmental Plans*". The notification and consultation process will be initiated after the s.55 submission has been sent to the Department of Planning and Infrastructure.

The Planning Proposal satisfies the criteria of being of low impact under the Department of Planning's "*A Guide to Preparing Local Environment Plans*" which states a low impact proposal to be one that

- is consistent with the pattern of surrounding land use zones and/or land uses;
- is consistent with the strategic planning framework;
- presents no issues with regard to infrastructure servicing;
- is not a principal LEP;
- and does not reclassify public land.

Council's consultation methodology will include, but not be limited to:

- giving notice of the public exhibition in the main local newspaper (the North Shore Times);
- exhibiting the Planning Proposal in accordance with the Gateway Determination for an exhibition period of either 14 days duration;
- exhibiting the Planning Proposal pursuant to s.57 and all supporting documentation at Council's Administration Centre and on Council's website;
- notification of the Planning Proposal's exhibition on Council's website, including providing copies of the Planning Proposal, all supporting studies, additional information and the Gateway Determination;
- notifying affected landowners and adjoining land owners where relevant.

PART 6 – PROJECT TIMELINE

Stage	Timing
Anticipated commencement date (date of Gateway Determination)	< 10/10/14
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	17/10/14 – 7/11/14
Commencement and completion dates for public exhibition period	24/10/14 – 7/11/14 - 14 days exhibition plus notification and advertisement period
Post exhibition review and reporting	10/11/14 – 25/11/14
Council meeting / consideration	9/12/14
Legal drafting of LEP	12/12/14 - 9/1/15
Anticipated date RPA will forward to the department for notification.	12/1/15 – 23/1/15
Notification of Plan on Legislation website	6/2/15

APPENDIX A - Checklist of Consistency with Section 117 Directions

PART C: DIRECTIONS UNDER S117(2)		Not relevant	Consistent	Justifiably inconsistent
PART 1 – GENERAL DIRECTIONS				
1. Employment and Resources				
1.1	Business and Industrial Zones		✓	
1.2	Rural Zones	✓		
1.3	Mining, Petroleum production and Extractive Industries	✓		
1.4	Oyster Aquaculture	✓		
1.5	Rural Lands	✓		
2. Environment and Heritage				
2.1	Environment Protection Zones		✓	
2.2	Coastal Protection	✓		
2.3	Heritage Conservation	✓		
2.4	Recreation Vehicle Areas	✓		
3. Housing, Infrastructure and Urban Development				
3.1	Residential Zones			✓
3.2	Caravan Parks and Manufactured Home Estates	✓		
3.3	Home Occupations	✓		
3.4	Integrating Land Use and Transport		✓	
3.5	Development Near Licensed Aerodromes	✓		
4. Hazard and Risk				
4.1	Acid Sulfate Soils	✓		
4.2	Mine Subsidence and Unstable Land	✓		
4.3	Flood Prone Land	✓		
4.4	Planning for Bushfire Protection	✓		
5. Regional Planning				
5.1	Implementation of Regional Strategies	✓		
5.2	Sydney Drinking Water Catchments	✓		
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5	Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	✓		
5.6	Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	✓		
5.7	Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	✓		
5.8	Second Sydney Airport: Badgerys Creek	✓		
6. Local Plan Making				
6.1	Approval and Referral Requirements		✓	
6.2	Reserving Land for Public Purposes	✓		
6.3	Site Specific Provisions			✓
7. Metropolitan Planning				
7.1	Implementation of the Metropolitan Strategy		✓	

APPENDIX B –Proposed Amendments to the *Ku-Ring-Gai LEP (Local Centres) 2012*

Proposed amendment to *Schedule 1 – Additional Permitted Uses* of the KLEP (Local Centres) 2012 Written Instrument. The wording of the modification may be stated as below:

Schedule 1 – Additional Permitted Uses

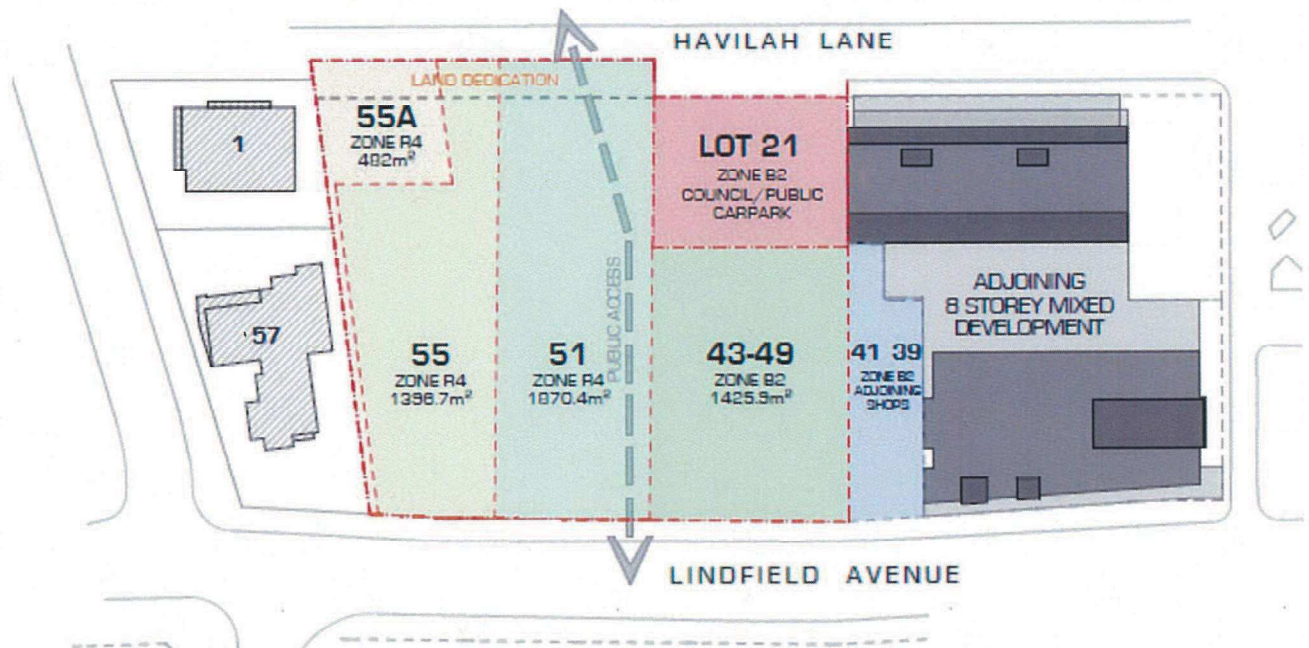
29 Use of certain land at 51, 55 & 55A Lindfield Avenue, Lindfield

- (1) This clause applies to land at 51, 55 & 55A Lindfield Avenue, Lindfield, being Lots 1-8 DP 4880 and SP 31270, and Lots A & B in DP 3111108.***
- (2) Development for the following purposes is permitted with development consent:***
 - (a) Car Park.***
 - (b) Restaurant or café with 100sqm maximum floor area.***

APPENDIX C – Site Concept Plans – NOT part of this Planning Proposal

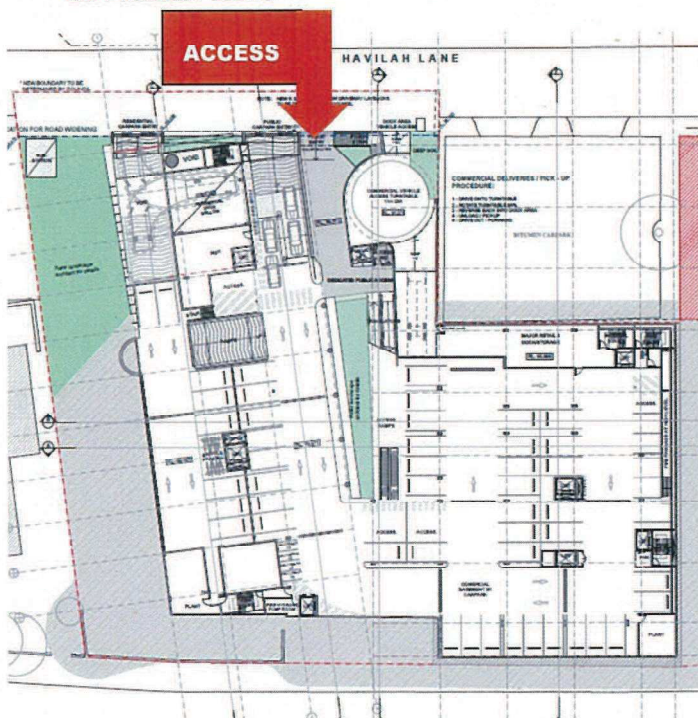
Plans showing the previous (refused) DA on the consolidated 3 sites at 51, 55, 55A Lindfield Ave, subject of this Planning Proposal, plus 43-49 Lindfield Ave which does not form part of this Planning Proposal.

DA - Lot Plan



DA – Basement

Showing B2 related car parking with access off Havilah Lane



DA – Ground Floor

Showing location of Neighbourhood Centre/Restaurant/Cafe

