

SECTION 117 DIRECTIONS	COMMENT
3.1 Residential Zones	The intended outcome of the Planning Proposal is to encourage the sale and future use of the 45.4m ² parcel of land with adjoining residential development, to provide an improved planning outcome for the site. The Planning Proposal makes efficient use of existing infrastructure and services.
3.4 Integrating Land Use and Transport	Consistent. The site is located adjacent to residential properties fronting Forest Road, which provides direct connection to the Hurstville City CBD and public transport networks. The Planning Proposal does not hinder the application of this Direction.
6.1 Approval and Referral Requirements	The Planning Proposal does not include provisions that require concurrence, consultation or referral of development applications to the Minister or public authority or identify development as designated development.
6.2 Reserving Land for Public Purposes	Consistent. The Subject Site is zoned for residential purpose, not open space, and no change to the zoning is proposed. The larger portion of the Reserve will be retained as community land. Therefore the Planning Proposal facilitates the continued provision of open space for public purpose, as well as the removal of open space where it is no longer required.
7.1 Implementation of A Plan for Growing Sydney	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).

Section C – Environmental, social and economic impact

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 site is within an existing urban area and is a small parcel of land (45.4m²) that does not contain vegetation. There is no likelihood that critical habitat or threatened species, population or ecological communities, or their habitat will be adversely affected.

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

The intended outcome of the Planning Proposal is to facilitate the sale of the 45.4m² parcel of land and enable it to be included as part of a residential development with adjoining properties. The Planning Proposal does not include any change in land use zoning. If the adjoining land is redeveloped, the environmental effects would be the subject of detailed assessment prior to the issuing of any development consent.

How has the planning proposal adequately addressed any social and economic effects?

Yes, the Planning Proposal has adequately addressed social and economic effects. There will be no adverse social or economic effects as a consequence of the Planning Proposal, given that the community land the subject of the Planning Proposal is unusable and does not serve any public utility/benefit.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The intended outcome of the Planning Proposal is to facilitate the sale of the land which would enable it to be included as part of the adjoining properties. The reclassification is very minor and has no impact on public infrastructure.

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 following the outcomes, and in line with any recommendations, of the Gateway Determination.

PART 4: MAPPING

The following maps have been prepared, consistent with the “*Standard Technical Requirements for LEP Maps*” and identifies the Subject Site and Land Reclassification proposed:

- Land subject to the Planning Proposal;
- Proposed Land Reclassification (Part Lots) Map.

The full set of maps showing the proposed changes is included in the Attachments.

The current land use zone and principal development standards (minimum lot size, maximum building height and maximum floor space ratio) maps are provided in Section 1.5 above.

PART 5: COMMUNITY CONSULTATION

The Planning Proposal will be exhibited for a period of twenty eight (28) days 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 explanatory information, land to which the Planning Proposal applies, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council’s website and 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).

Following the completion of the public exhibition, a Public Hearing is required to be held when *community land* is proposed to be reclassified as *operational land* in accordance with the provisions of Section 29 of the Local Government Act and Section 57 of the EP&A Act.

PART 6: PROJECT TIMELINE

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

Task	Anticipated Timeframe
Lodgement of Planning Proposal request by Hurstville City Council.	8 October 2015
Reporting to Council on Planning Proposal	4 May 2016
Anticipated commencement date (date of Gateway determination)	Early July 2016
Anticipated timeframe for the completion of required technical information	N/A
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	July 2016
Commencement and completion dates for public exhibition period (twenty eight (28) days)	July-August 2016
Dates for public hearing (required as PP proposed reclassification)	September 2016
Timeframe for consideration of submissions	September 2016
Timeframe for the consideration by Council of a proposal post exhibition	October 2016
Date of submission to the Department to finalise the LEP	Late October 2016

It is noted that the project timeline will be assessed by the Department of Planning and Environment and may be amended by the Gateway Determination.

3. CONCLUSION

In summary, the Planning Proposal seeks to reclassify a portion of Lot 18 DP 31882 (45.4m²) from *community land* to *operational land* as defined under the LGA 1993. Council is currently assessing a DA for the subdivision of this land into two separate allotments.

The reclassification of the land as well as the subdivision of the land will enable greater opportunities for the presently unusable parcel of land. The Planning Proposal is supported, the key reasons for this being:

- The subject parcel of land is presently unusable and does not provide any public utility/benefit;
- The status of this land as community land under the LGA 1993 prevents the land from being used for any purpose other than open space. Therefore the proposed reclassification is required in order to enable Council to divest the land;
- It is also intended to subdivide the land so that each portion of Lot 18 DP 31882 will have a separate title;
- The Planning Proposal represents an opportunity to divest of an underutilised asset;
- The Planning Proposal will facilitate the incorporation of the land with adjoining residential properties which is a more logical use of the land;
- The Planning Proposal will not result in any other changes to Hurstville LEP 2012 other than to identify the land which has been reclassified;
- The disposal of this asset is in keeping with the Open Space Strategy, and the funds from this divestment will be utilised in accordance with the Community Strategic Plan. Therefore Council's intentions for divestment, and for the community use of funds arising from divestment is well documented.

Attachments

Attachment I:

Site Identification Map and Site Photos

Planning Proposal - Location Map Part of 34 Coreen Avenue, Peakhurst



Legend



Subject Site - Part Lot 18 DP 31882



Hurstville
City Council

1: PLANNING and LEP Amendments are Proposal PP/2015/04 - Part of 34 Coreen Ave, Peakhurst. Map for Council Paper PP/2015/04 - 34 Coreen Ave, Peakhurst - Location Map. a/c



Source: Planning Proposal, Outline Planning Consultants, September 2015



Source: Planning Proposal, Outline Planning Consultants, September 2015

Attachment 2:

Draft Hurstville LEP 2012 Schedule 4 Classification and Reclassification of Public Land and Map Amendments

DRAFT Hurstville Local Environmental Plan 2012

Schedule 4 Classification and reclassification of public land

(Clause 5.2)

Part 1 Land classified, or reclassified, as operational land—no interests changed

Column 1

Locality

Peakhurst

Column 2

Description

Part Lot 18 DP 31882

Part 2 Land classified, or reclassified, as operational land—interests changed

Column 1

Locality

Nil

Column 2

Description

Column 3

Any trusts etc not discharged

Part 3 Land classified, or reclassified, as community land

Column 1

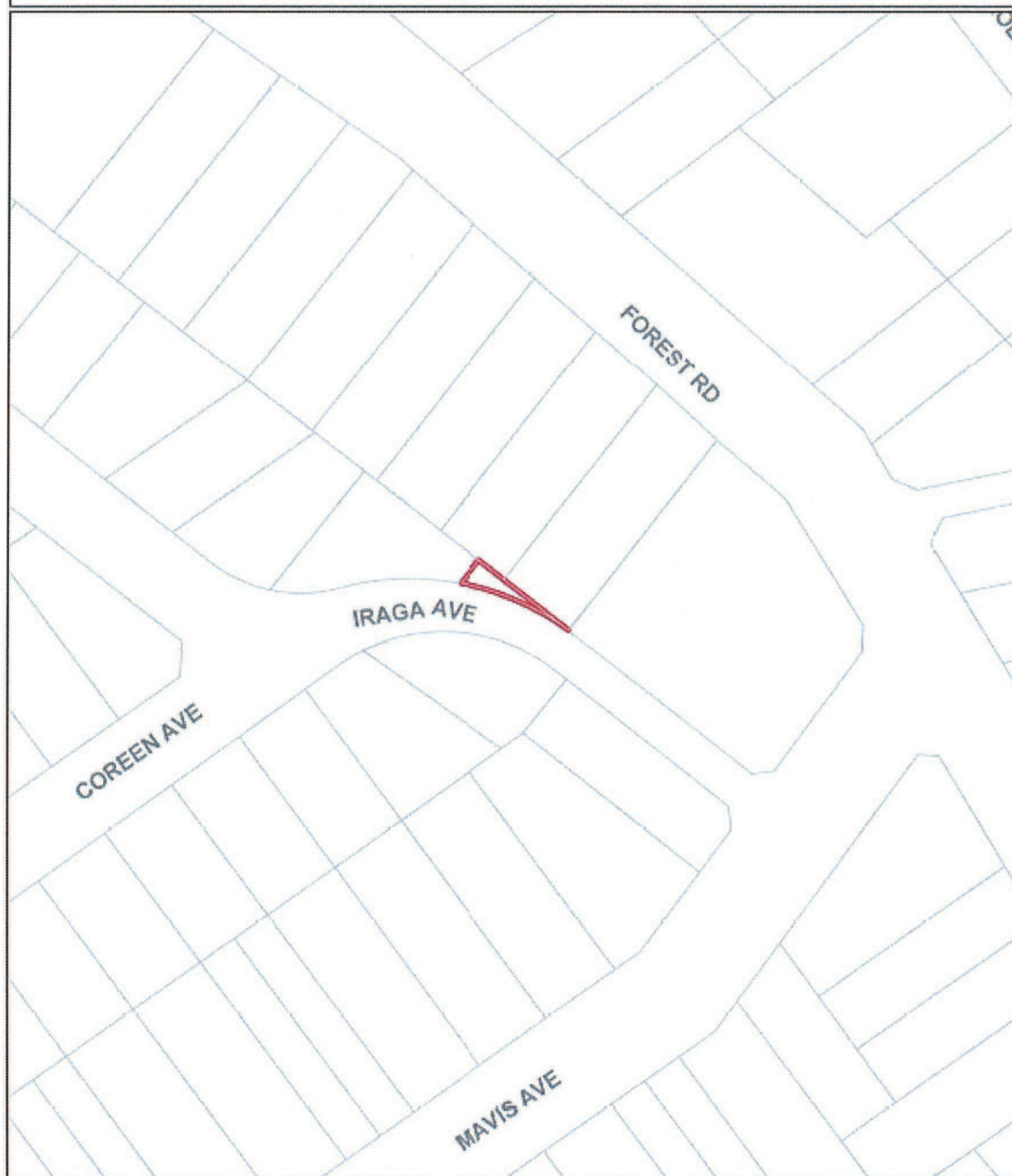
Locality

Nil

Column 2

Description

**Planning Proposal - Land Reclassification (Part Lots) Map
Part of 34 Coreen Avenue, Peakhurst**



Legend

 **Operational Land**



1. PLANNING and LEP Amendments and Proposals PP2015-04 - Reclass - 34 Coreen Ave, Peakhurst (Hurstville City Council) PP2015-04 - 34 Coreen Ave, Peakhurst - Proposed RCL Map v01

Attachment 3:

Council Report and Resolution (4 May 2016)

(provided under separate cover)

**CCL147-16 PLANNING PROPOSAL - PP2015-0004 - 34 COREEN AVENUE
PEAKHURST - HURSTVILLE CITY COUNCIL**

Report Author/s	Independent Assessment, Consultant Planner
File	PP2015/0004
Previous Reports Referenced	COW109-14 - Property Matter - Coreen Ave Peakhurst - Council - 17 Dec 2014 7:00pm (Extraordinary)
Community Strategic Plan Pillar	Economic Prosperity
Existing Policy?	Yes New Policy Required? Yes
Financial Implications	Outside Budget
Reason for Report	For Approval
Interested Parties	Applicant: Hurstville City Council (Outline Planning Consultants)
Company Extract included	Not required

EXECUTIVE SUMMARY

Council's Commercial Property Section has submitted a request that Council prepare a Planning Proposal to reclassify a part of 34 Coreen Avenue, Peakhurst (Lot 18 DP 31882) from *community land* to *operational land* under the Local Government Act 1993 ("LGA 1993").

A Development Application (DA) is currently under assessment which relates to this land (DA2015/0285) that seeks Council consent to subdivide the property to create two (2) allotments, one for each part separated by Coreen Avenue. The portion of land subject to this Planning Proposal is located on the northern side of Coreen Avenue and is 45.4m² in area.

The Planning Proposal (PP2015/0004) will require amendment to Schedule 4 of Hurstville Local Environmental Plan 2012 ("LEP 2012") so as to identify the reclassified land as Operational Land, and identify the remainder of the land as Community Land. If subdivision has not taken place then Part 1 will reference a "Land Reclassification (Part Lot)" map, otherwise the new title will be referenced.

The Planning Proposal to change the classification of this land under LGA 1993 will provide greater options for the presently unusable parcel of land. One such option would be to incorporate the parcel of land into the adjoining residential properties following a divestment process so as to improve vehicle access to/from that adjoining land. However an outcome such as this is contingent upon the approval of the Planning Proposal, subdivision being approved, carried out and a new title registered for the subject parcel of land.

As the Planning Proposal has been lodged for Council owned land, it has been assessed by independent planning consultants DFP Planning Pty Ltd in accordance with Council's Policy.

AUTHOR RECOMMENDATION

THAT Council support the forwarding of the Planning Proposal (PP2015/0004) to the Department of Planning and Environment to request a Gateway Approval to reclassify a part of 34 Coreen Avenue, Peakhurst (Lot 18 DP 31882) from Community Land to Operational Land under the Local Government Act 1993.

REPORT DETAIL

BACKGROUND

The land at 34 Coreen Avenue, Peakhurst was originally acquired by Council prior to 1960 as part of the overall subdivision of land and at that time was provided for the purpose of a reserve. In October 1960 the Council reserve was subsequently bisected by a road forming part of the further subdivision of surrounding land. The resultant subdivision of 34 Coreen Avenue caused the single title (Lot 18 DP 31882) to be separated into two (2) parts as they exist today.

Council at its meeting on 17 December 2014 in the Committee of the Whole (COW109-14) considered a report on this matter and resolved, *“that Council prepares the land for sale and a report come back to Council.”* The Planning Proposal (PP2015/0004) to reclassify a part of 34 Coreen Avenue, Peakhurst from *community* to *operational* land under the LGA 1993 was submitted by Council’s Commercial Property Section on 8 October 2015.

A Development Application (DA2015/0285) to subdivide 34 Coreen Avenue, Peakhurst into two (2) allotments (one for each part separated by Coreen Avenue) was submitted by Harrison Friedmann & Associates Pty Ltd on 10 October 2015.

Planning Proposal Documentation

The Planning Proposal is supported by the following documents:

- Planning Proposal, Reclassification of Council Land & LEP Amendment, prepared for Hurstville City Council by Outline Planning Consultants Pty Ltd, dated September 2015 (Refer Appendix 1);
- Planning Proposal, Completed Form and Checklist, 2 October 2015; and
- Political Donations and Gifts Disclosure Statement, 8 October 2015.

The preliminary assessment of the documentation provided by the Applicant concluded that sufficient information was provided to progress the Planning Proposal to Gateway Determination.

SITE DESCRIPTION

The Subject Site

The site comprises the two (2) parts of Lot 18 DP 31882, known as 34 Coreen Avenue, Peakhurst. The northern part of Lot 18 (being the land the subject of this Planning Proposal) has an area of 45.4m² and the southern part of Lot 18 has an area of 446.2m². The site has a total area of 491.4m².

Both portions of the site are undeveloped. The larger portion is cleared of vegetation and comprises only grass covering.

The smaller portion (the subject of this Planning Proposal) generally comprises a low retaining wall constructed with the road corridor, however the north-western portion of the parcel has been fenced into the adjoining residential property (31 Coreen Avenue).

The site is shown in Figure 1 below. The extent to which the site has been fenced into 31 Coreen Avenue is shown in Figure 2 below.



Figure 1: Site (bounded in yellow) and surrounding land (Source: Nearmap)



Figure 2: Portion of site enclosed into neighbouring property (bounded in yellow) (Source: Nearmap)

Site History

The site has no additional history to that discussed under “Background” above. The site is not subject to any covenants, agreements, or trusts.

Surrounding Land

The site is located within a low density residential subdivision which has generally retained its low density character. However the locality is beginning to comprise medium density residential developments, in particular along the Forest Road corridor.

To the north, the site adjoins low density residential properties which front Forest Road.

To the west, the site adjoins 31 Coreen Avenue, being a two storey residential dwelling. Low density residential development extends further to the west beyond.

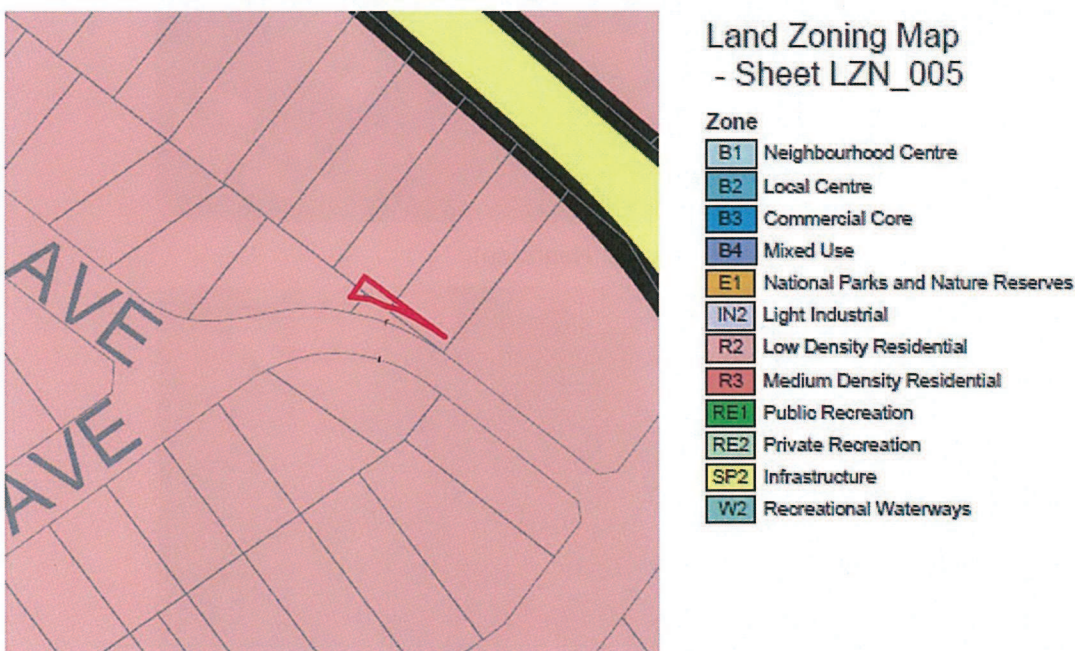
To the south, the site adjoins low density residential development.

To the east, the site adjoins a medium density residential development bound by Coreen Avenue, Mavis Avenue and Forest Road. Low density residential development extends further to the east beyond.

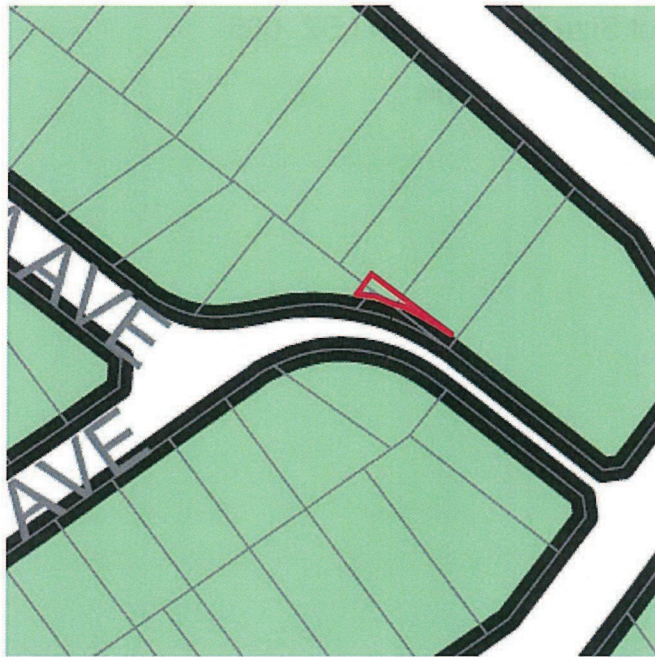
Existing Planning Controls

Hurstville Local Environmental Plan (LEP) 2012 applies to the site and the following provisions are relevant to the Planning Proposal:

Land Zoning: The site is zoned R2 Low Density Residential



Floor Space Ratio: The site is subject to a maximum floor space ratio of 0.6:1.

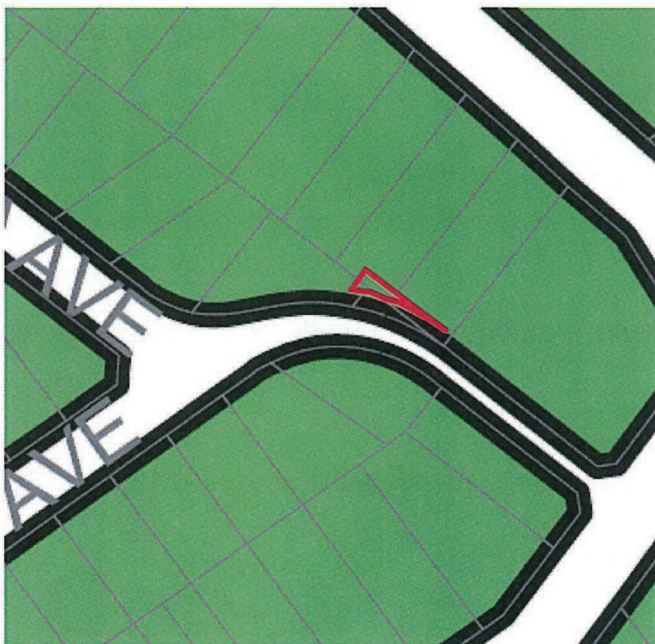


Floor Space Ratio Map
- Sheet FSR_005

Maximum Floor Space Ratio (n:1)

F	0.6
N	1.0
P	1.2
R	1.4
S	1.5
T1	2.0
T2	2.2
U	2.5
V	3.0
W1	3.5
W2	3.6
X	4.0
Y	4.5
Z	5.0
AA	6.0
AD	9.0

Height of Building: The site is subject to a maximum building height of 9m.



Height of Buildings Map
- Sheet HOB_005

Maximum Building Height (m)

J	9
K	10
L	11
M	12
N	13
O	15
P	18
Q	19
R	21
S	23
T	28
U	30
V	35
W	40
X	45
Z	55
AA	60

Minimum Lot Size: The site is subject to a minimum lot size of 450m².