



6 June 2016

D16/59958

Ms Karen Armstrong
Regional Director (Sydney East)
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Armstrong

Planning Proposal (PP2015/0004) – Reclassification of Council Owned Land (34 Coreen Avenue, Peakhurst)

I am writing to advise you that Hurstville City Council, at its meeting on 4 May 2016, resolved:

“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.”

A Planning Proposal is enclosed together with the following relevant supporting documents:

- Planning Proposal Information Checklist;
- Council Report and Minutes (4 May 2016); and
- Applicant's Planning Proposal Form.

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979 (the Act)*, and the Department's guidelines titled, “A guide to preparing local environmental plans”, “A guide to preparing planning proposals” and LEP Practice Note “PN09-003: Classification and reclassification of public land through a local environmental plan”.

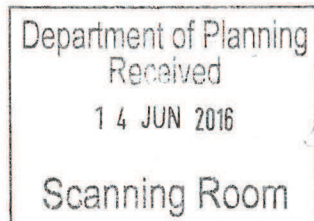
Council requests a Gateway Determination in accordance with Section 56 of the Act.

Please do not hesitate to contact me on 9330 6257 if further information is required.

Yours sincerely

Carina Gregory
Manager Strategic Planning

Encl



INFORMATION CHECKLIST – PP2015/0004 – Reclassification – Council Owned Land (34 Coreen Avenue, Peakhurst)

> STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

(refer attached Planning Proposal Report)

> STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Urban Design Considerations		
• Demonstrated consistency with relevant Regional Strategy	☐	☒	• Existing site plan (buildings vegetation, roads, etc)	☒	☐
• Demonstrated consistency with relevant sub-regional strategy	☒	☐	• Building mass/block diagram study (changes in building height and FSR)	☐	☒
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	☐	☒	• Lighting impact	☐	☒
• Demonstrated consistency with Threshold Sustainability Criteria	☐	☒	• Development yield analysis (potential yield of lots, houses, employment generation)	☐	☒
Site Description/Context			Economic Considerations		
• Aerial photographs	☒	☐	• Economic impact assessment	☐	☒
• Site photos/photomontage	☐	☒	• Retail centres hierarchy	☐	☒
Traffic and Transport Considerations			• Employment land	☐	☒
• Local traffic and transport	☐	☒	Social and Cultural Considerations		
• TMAP	☐	☒	• Heritage impact	☐	☒
• Public transport	☐	☒	• Aboriginal archaeology	☐	☒
• Cycle and pedestrian movement	☐	☐	• Open space management	☐	☒
Environmental Considerations			• European archaeology	☐	☒
• Bushfire hazard	☐	☒	• Social and cultural impacts	☐	☒
• Acid Sulphate Soil	☐	☒	• Stakeholder engagement	☐	☒
• Noise impact	☐	☒	Infrastructure Considerations		
• Flora and/or fauna	☐	☒	• Infrastructure servicing and potential funding arrangements	☐	☒
• Soil stability, erosion, sediment, landslip assessment, and subsidence	☐	☒	Miscellaneous/Additional Considerations		
• Water quality	☐	☒	The Planning Proposal is for the reclassification (to operational land) of a small (45.4m2) parcel of Council owned land which is isolated from the remainder of the lot by the Coreen Avenue roadway and surplus to Council needs.		
• Stormwater management	☐	☒			
• Flooding	☐	☒			
• Land/site contamination (SEPP55)	☐	☒			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	☐	☒			
• Sea level rise	☐	☒			



PP2015 / 0004

Planning Proposal

(Amendments to Hurstville LEP 2012 or Hurstville LEP 1994)

Environmental Planning and Assessment Act 1979 Section 55

Planning Proposals must be lodged before 4.00pm each day

Property Details

(See General Note 1)

Address and Parcel details

Unit No.: Street No.: 34 Street: COREEN AVENUE
 Suburb: PEAKHURST Post Code: 2210
 Lot: PART LOT 1 Section: Plan: DP / SP 31882
 Vol: - Folio: - Nearest Cross Street: MAVIS AVENUE

Applicant

Family or Business Name

Address

Contact numbers

Email address

Contact for companies

Signature of Applicant

(Refer General Note 2 & 3)

Company/ Surname: Hurstville City Council First Name:
 No. Street: Cnr MacMahon & Dora Streets
 Suburb: Hurstville NSW Post Code: 2220
 Phone: 9330 6222 Fax: - Mobile: 0432 130 142
bmarabito @ hurstville.nsw.gov.au
 Name: Bernie Marabito ABN No.: Position: Mgr Property Portfolio
 Signature: B. Marabito Date: 2/10/2015

The applicant must sign and where the applicant is a company, the company seal must be affixed

I consent to Council copying this planning proposal, and any supporting material, for the purpose of obtaining public comment and/or making the information available under the provisions of Section 6 of the Government Information (Public Access) Act 2009 and Schedule 1 of the Government Information (Public Access) Regulation 2009 which includes publishing this information electronically on Council's web-site.

Planning Proposal

Proposed amendment to LEP (tick all that apply)

- ☐ Zone
☐ Floor Space Ratio
☐ Height of Building
☐ Heritage
☐ Additional Permitted Uses
☒ Other/Clauses

RECEIVED
 This document was received by
 Hurstville City Council

08 OCT 2015

and relates to:

Type of Planning Proposal

- ☒ **Minor:** Minor amendments to an LEP for the purposes of adding or removing a heritage item, changing the wording of a clause, adding or removing a use to a zoning table that does not require complex assessment or changing the development standards that apply to land.
☐ **Major:** Involving complex land use & zoning issues or changing the development standards that apply to land (eg. Height of Buildings or Floor Space Ratio).

Description of Planning Proposal

Reclassification of part 34 Coreen
Avenue from community to operational
land. Peakhurst.



Hurstville City Council

Have you had a pre-application meeting with Council's Strategic Planning staff?

☒ No ☐ Yes If Yes, with whom? Date:

Planning Proposal Checklist requirements
(see General Note 11)

☒ I have supplied the documentation and the correct number of copies of the documents required by the Planning Proposal Checklist (see page 4 of this form)

Digital Lodgement Requirements CD-ROM or USB

Applications without a correctly formatted digital data disc will not be accepted.

- ☐ The CD-ROM or USB contains PDF files which are compliant with the requirements outlined on the *Fact Sheet - Electronic lodgement requirements* published on Council's website.
- ☐ The CD-ROM or USB contains all the documents required by the planning proposal Checklist.
- ☐ Photos or photomontages are to be provided as a jpeg file.
- ☒ I verify that the content of the disk or USB exactly matches the hard copies lodged with this application.

Probity

Are you a staff member, councillor, or contractor of Hurstville City Council or related to someone who is a staff member, councillor, or contractor of Hurstville City Council?

☐ No ☒ Yes If Yes (if yes, state relationship) *staff*

Political donations and gifts

A Political Donations and Gifts Disclosure Statement must be completed and submitted with the Planning Proposal. For more details refer to the Development - Political Donations and Gifts page on our website. Have you attached a statement?

☐ Yes ☒ No

Consent of ALL land

owner(s) as shown on Council's Records. All names and signatures must be displayed where applicable.

Company / Surname: *Hurstville City Council* First Name:

Street: *Cnr Dora & MacMahon Sts*

Suburb: *Hurstville* NSW Post Code: *2220*

Phone: *9330 6222* Fax Mobile: *0432 130 142*

Email: *dmorabito @ hurstville.nsw.gov.au*

Name: ABN: Position:

Signature: *Lee* Date: *2/10/2015*

Signature: *A/General Manager* Date:

The owner/s must sign and where the owner is a company, the company seal must be affixed.

Fees

Fees payable are shown in the Schedule of Fees and Charges available on our website.

Fees are split into two (2) stages and vary based on whether the Planning Proposal is considered to be Minor or Major in nature (as defined on page 1 of this form).

Note: At Stage 1 there is no refund of fees if the Planning Proposal is unsuccessful.

Payments can be by cash, cheque, EFTPOS and some credit cards (subject to a fee). Do not post cash. It is best to confirm fees before writing cheques.

Dishonoured cheques will result in an application being cancelled.



Hurstville City Council

Our details

How to contact us:

Ph: 9330 6222

Fax: 9330 6223

hccmail@hurstville.nsw.gov.au

www.hurstville.nsw.gov.au

Address the application to:

The General Manager
Hurstville City Council

Mail:

PO Box 205, HURSTVILLE BC 1481

Courier or in person:

Civic Centre
MacMahon Street, Hurstville

Advice - We strongly recommend that you consult and meet with Council's Strategic Planning staff before submitting an application.

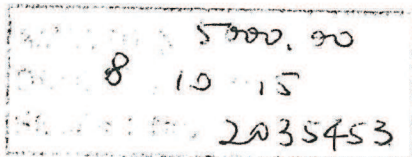
Acknowledgement of planning proposal applications will be by letter and a receipt specifying the amount paid.

ABN No.: 24782671133

Applicants declaration

I declare that all the information given in this request is true and correct. I also understand that, if incomplete, the request may be delayed or rejected. I understand payment of fees may not result in the desired outcome. I understand that timeframes cannot be guaranteed and may vary.

Signature: [Signature] Date: 2/10/2015





Hurstville City Council

Planning Proposal Checklist

INFORMATION TO BE SUBMITTED

(documentation to be checked by a Strategic Planning Officer)

	Applicant to tick	Office use only (strategic planner)
1. A completed application form with owners consent	☒	☐
2. Payment required with lodgement	☒	☐
PROVIDE 3 PAPER COPIES and 1 DIGITAL COPY of the following information:		
3. Information required in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 and Guide to Preparing Planning Proposals prepared by the NSW Department of Planning and Infrastructure: www.planning.nsw.gov.au	☒	☐
4. Description of the subject land and the locality	☒	☐
5. Statement and justification of objectives & intended outcomes including the process of how these are to be implemented	☒	☐
6. A Plan of the site drawn to scale indicating physical features such as trees, topography, existing buildings etc.	☒	☐
7. Site analysis of property and surrounding environment identifying any relevant significant issues	☒	☐
8. Details of the current use of the property and surrounding properties and the potential impact of the proposal on the surrounding area (including issues such as traffic and parking, noise, privacy, infrastructure considerations, if relevant, for servicing the site, site contamination, etc.)	☒	☐
9. Where a rezoning from an industrial zone is proposed, an assessment of the proposed rezoning on the supply and demand of employment land in the South Subregion of Sydney and feasibility assessment to redevelop the land to support new forms of industrial land uses	☐	☐
10. Relevant plans (e.g. proposed height or FSR changes, environmental constraints, heritage or flood prone areas)	☒	☐
11. Photographs of the site and surrounding neighbourhood	☒	☐
12. Explanation of any intended activities for the site if it was to be rezoned (concept plans for future development should also be included)	☒	☐
13. Details of the substantial public benefit that would result from the proposed rezoning (an example of this might include provision of public open space).	☐	☐
14. Relevant information required to assess the environmental, economic and social impacts of the proposal.	☒	☐
15. Consideration of the relevant local planning controls including the Local Environmental Plan and Development Control Plan and State Environmental Planning Policies and Ministerial S117 Directions	☒	☐



Hurstville City Council

General notes

1. **A description of the land** which the planning proposal applies to can also be given in the form of a map which contains details of the lot number/s, Deposited Plan number/s, volume/folio if more than one piece of land.
 2. **Crown land** - within the meaning of the Crown Lands Act 1989, the owner's consent must be signed by an officer of the Department of Planning and Infrastructure, authorised for these purposes by the Governor-in-Council, from time to time.
 3. **Inaccurate, false or misleading information** - it is an offence to provide false/misleading information, signing the application is a declaration that all information is true and correct. Inaccurate/unclear/incomplete applications will not be accepted.
 4. **Fees** - failure to submit the correct fees will result in refusal to accept/delays/refusal of your application. A copy of our Schedule of Fees and Charges is on our website www.hurstville.nsw.gov.au on the Forms/Fees/Charges page under the heading Strategic Planning.
 5. **Help** - if you are not sure about completing any part of this application form call Customer Service on 9330 6222 - for detailed queries ask to speak to one of the Strategic Planning staff.
 6. **Legislation** - a copy of any of the legislation referred to in this form is available from the website www.legislation.nsw.gov.au.
 7. **Privacy** - the details provided in this form may contain information that is personal information, such as information that identifies you etc., for the purposes of the Privacy and Personal Information Protection Act. The purpose of collecting this information is to enable the Council to consider matters under related legislation, issue related documentation where required and other associated matters as provided by law and will be utilised by Council officers in assessing the proposal and other associated activities. The information may also be made available to other persons where such access is in accordance with the relevant regulations and requirements in this regard. The submission of personal information in this case is required by law and if not provided (wholly or in part) may affect or prevent consideration of the matter by Council. The information will ultimately be stored in Council's records system.
 8. A Company Search fee of \$20 will be required if the applicant and/or owner is a Company.
 9. **Government Information (Public Access) Act 2009** – Council will publish the details contained in this Application and supporting documentation electronically on its website in accordance with Section 6 of the Government Information (Public Access) Act 2009 and in accordance with Schedule 1, Government Information (Public Access) Regulation 2009.
 10. **Planning Proposal Definition:** A planning proposal is a document that explains the intended effect of a proposed local environmental plan (LEP) and sets out the justification for making that plan. It will be used and read by a wide audience including those who are responsible for deciding whether the proposal should proceed, as well as the general community. The preparation of a planning proposal is the first step in preparing an LEP.
 11. Planning Proposals are to be prepared in accordance with the Department of Planning and Infrastructure's "Guide to Preparing Planning Proposals" which can be accessed on the Department of Planning and Infrastructure's website: <http://www.planning.nsw.gov.au/>
-

PLANNING PROPOSAL

Reclassification of Council Owned Land (part of No.34 Coreen Avenue, Peakhurst) from Community Land to Operational Land under the Local Government Act, 1993.

(PP2015/0004)

June 2016

GEORGES RIVER
COUNCIL

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Attachments

Attachment 1:	Site Identification Map and Site Photos
Attachment 2:	Draft Hurstville LEP 2012 Schedule 4 Classification and Reclassification of Public Land and Map Amendments
Attachment 3:	Council Report and Resolution (4 May 2016)
Attachment 4:	SEPPs & SI 17 Directions Compliance Tables

I. INTRODUCTION

I.1 BACKGROUND

Council's Commercial Property Section submitted a request that Hurstville City 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"). The portion of land subject to this Planning Proposal is located on the northern side of Coreen Avenue and is 45.4m² in area.

Council resolved on 4 May 2016 to support the proposed reclassification.

The Planning Proposal (PP2015/0004) will require an amendment to the Hurstville Local Environmental Plan 2012 ("LEP 2012") Schedule 4 (Classification and Reclassification of Public Land) 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 within Schedule 4 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 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.

A Development Application (DA2015/0285) to subdivide the property to create two (2) allotments, one for each part separated by Coreen Avenue is currently being assessed.

I.2 SUBJECT SITE

The site comprises the two (2) parts of Lot 18 DP 31882, known as 34 Coreen Avenue, Peakhurst which have been separated by the Coreen Avenue roadway. 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 (southern) portion is cleared of vegetation and comprises grass covering and is used as open space and identified as "Coreen Avenue Reserve".

The smaller portion (the subject of this Planning Proposal) comprises a low retaining wall constructed within 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, 31 Coreen Avenue (bounded in yellow) (Source: Nearmap)

1.3 SITE HISTORY

The land at 34 Coreen Avenue, Peakhurst was originally acquired by Hurstville City 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.

Hurstville 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.

Hurstville Council resolved at its meeting on 4 May 2016, to:

“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”.

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 and is currently being assessed.

1.4 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. Surrounding land includes:

- 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; and
- 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.

I.5 EXISTING PLANNING CONTROLS

The following provisions of the Hurstville LEP 2012 are relevant to the Planning Proposal:

Land Zoning: the Site is zoned R2 Low Density Residential as shown in Figure 3 below.

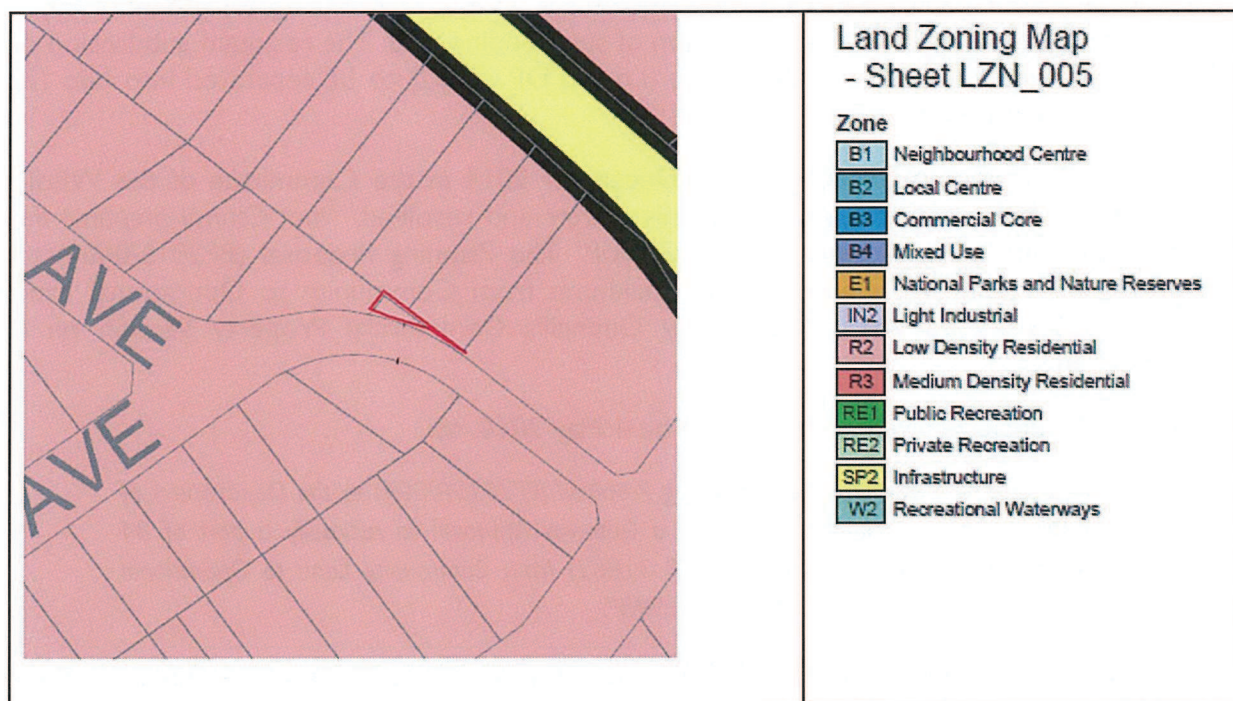


Figure 3: Land Zoning Map Extract (Hurstville LEP 2012)

Minimum Lot Size: the Site has a minimum subdivision lot size of 450m².



Figure 4: Lot Size Map Extract (Hurstville LEP 2012)

Height of Buildings: the Subject Site has a maximum building height of 9m.

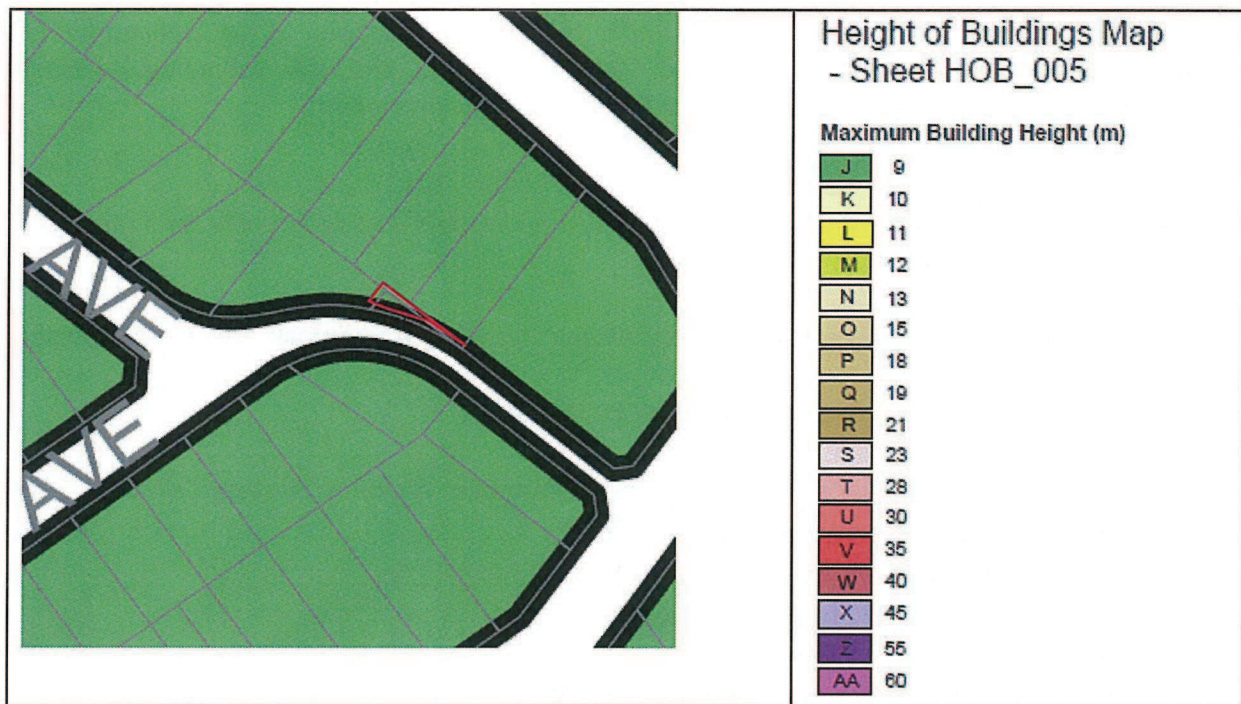


Figure 5: Height of Buildings Map Extract (Hurstville LEP 2012)

Floor Space Ratio: the Subject Site has a maximum floor space ratio of 0.6:1.

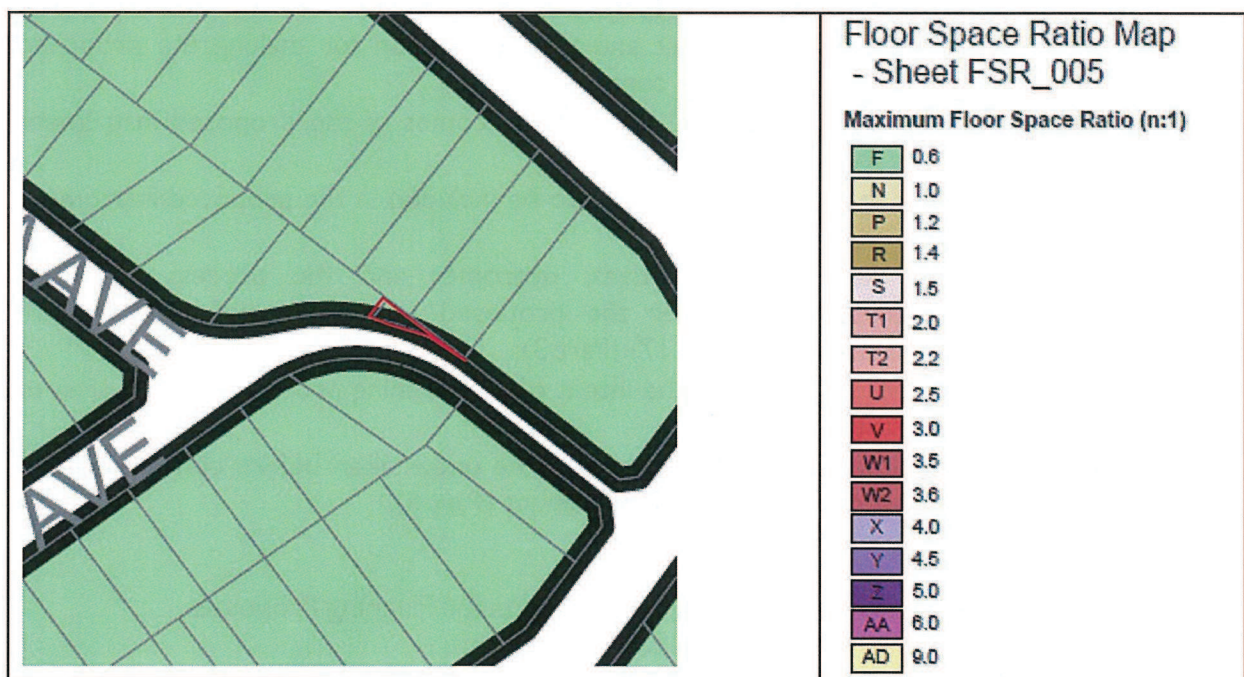


Figure 6: Floor Space Ratio Map Extract (Hurstville LEP 2012)

Heritage: the Subject Site is not identified as a heritage item or located within a heritage conservation area.

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” (October 2012);
- “A guide to preparing local environmental plans” (April 2013); and
- LEP Practice Note PN 09-003: “Classification and reclassification of public land through a local environmental plan”.

The assessment includes a review of the strategic planning framework and a site-specific assessment as listed below:

- A Plan for Growing Sydney (Metropolitan Strategy)
- Local Community Plans:
 - Hurstville Open Space, Recreation and Community Facilities Strategy (2010);
 - Hurstville Community Strategic Plan 2021;
- Hurstville Local Environmental Plan 2012 (“HLEP 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 objective of the Planning Proposal is to reclassify part of 34 Coreen Avenue, Peakhurst (Lot 18 DP 31882) from *community land* to *operational land* under the LGA 1993 and Hurstville LEP 2012 in association with the subdivision of this land (currently under separate DA assessment). No change to the existing R2 Low Density Residential zoning or development standards under Hurstville LEP 2012 is proposed.

The intended outcomes of the Planning Proposal are to reclassify part of 34 Coreen Avenue, Peakhurst (45.4m² portion located on the northern side of Coreen Avenue) to operational land so as to enable this land to be sold by Council following subdivision into individual allotments.

PART 2: EXPLANATION OF THE PROVISIONS

The proposed intended outcome (refer Part 1) will be achieved by amending Hurstville LEP 2012 in either of the two ways (subject to approval and carrying out of DA2015/0285 for the subdivision of land):

- If subdivision of the land has not been carried out, amending Part 1 and Part 3 of Schedule 4 – Classification and Reclassification of Public Land of Hurstville LEP 2012 to refer to a new “Land Reclassification (Part Lots)” map which identifies the part of Lot 18 DP 31882 being reclassified as operational land and the remaining part which retains its community land classification (refer Attachment 2).
- If subdivision of the land has been carried out, amending Part 1 of Schedule 4 – Classification and Reclassification of Public Land of Hurstville LEP 2012 to refer to the new Lot and DP for the subject parcel of land being reclassified as operational land.

PART 3: JUSTIFICATION

Section A – Need for the planning proposal

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

No. There are no specific strategic studies or reports relating to the Planning Proposal. The Planning Proposal applies to land classified as community land but which could serve the more orderly and economic development of land if reclassified as operational land and sold by Council to an adjoining land owner(s).

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

As outlined in the NSW Department of Planning and Environment LEP Practice Note PN 09-003 “Classification and reclassification of public land through a local environmental plan”, public land can be classified or reclassified either under Section 31, 32 or 33 of the LGA 1993 or under Section 55 the EP&A Act 1979.

Under the provisions of the LGA 1993, the following is concluded:

- Section 31 relates to the reclassification of land within a period of 3 months after it has been acquired (which is not relevant in this case);
- Section 32 relates to the reclassification of land dedicated to Council under Section 94 of the EP&A Act 1979 (which is not relevant in this case); and
- Section 33 relates to the reclassification of operational land as community land (which is not relevant in this case).

As the provisions under the LGA 1993 do not provide a means of achieving the objectives or intended outcomes of the Planning Proposal, it can be concluded that the Planning Proposal (under Section 55 of the EP&A Act 1979) is the best means available.

Director-General's Requirements for Proposed LEPs Prepared Solely to Classify or Reclassify Public Land:

- a) *Is the planning proposal the result of a strategic study or report?*

Response: As above; no.

- b) *Is the planning proposal consistent with the local Council's community plan, or other local strategic plan?*

Response: In 2010 Hurstville Council adopted the *Hurstville Open Space, Recreation and Community Facilities Strategy* (Open Space Strategy) which identifies the overall strategy for the use of Council's open space assets or divestment of underutilised open space. Further, in 2011 Hurstville Council adopted the *Hurstville Community Strategic Plan 2021* (Community Strategic Plan) which structures Council's aspirations and strategies over a 10 year period through a quadruple bottom line, promoting cycling of assets in order to improve existing assets or obtain new community assets.

The Planning Proposal is consistent with the Open Space Strategy as the site is not a significant open space asset, does not satisfy the majority of the criteria for functional local open space and is consistent with characteristics of open space areas which may be suited to divestment. The proposed reclassification and intended sale of the land will not result in an outcome which is contrary to the Open Space Strategy.

The Planning Proposal is consistent with the Community Strategic Plan as the site is not identified for upgrading or expansion, disposal of unused or underutilised assets forms part of Council's Delivery Program, and the proceeds from the sale of such an asset would go into the Property Realignment Reserve to be used for future acquisition of effective open space. The proposed reclassification and intended sale of land will not result in an outcome which is contrary to the Community Strategic Plan.

- c) *If the provisions of the planning proposal include the extinguishment of any interests in the land, an explanation of the reasons why the interests are proposed to be extinguished should be provided.*

Response: The Planning Proposal does not include the extinguishment of any interests in the land.

- d) *The concurrence of the landowner, where the land is not owned by the relevant planning authority.*

Response: The land is owned by the by the relevant planning authority, being Hurstville City Council (now Georges River Council).

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft South Subregional Strategy)?

The Metropolitan Strategy *A Plan for Growing Sydney* applies to the site, and sets out the NSW Government's broad vision for Sydney with goals and actions in the fields of economics, housing choice, liveability and the natural environment. The minor nature of the Planning Proposal is too small to have any consistency or inconsistency with *A Plan for Growing Sydney*, as it is unlikely that the regional strategy took such minor changes into consideration. In this regard the Planning Proposal is not inconsistent with *A Plan for Growing Sydney*.

Similarly, the exhibited draft South Subregional Strategy (which will ultimately be superseded by the Sydney District Plans (South)) is aimed at establishing a broad vision for housing, economics, infrastructure and the environment throughout the sub-region (or district). A Planning Proposal of such minor consequence is unlikely to have any consistency or inconsistency with the exhibited draft South Subregional Strategy (or preliminary Sydney District Plan (South)).

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

As discussed above in regard to the Director-General's Requirements for Proposed LEPs Prepared Solely to Classify or Reclassify Public Land, the proposal is consistent with Council's Open Space Strategy and Community Strategic Plan.

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 at **Attachment 4**.

In summary, the Planning Proposal is not inconsistent with the relevant SEPPs as they apply to the site and potential future use for residential purposes.

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

A checklist of the Planning Proposal's consistency with the full set of Section 117 Ministerial Directions is included at **Attachment 4**. The Directions that are relevant to the Planning Proposal are considered in the Table below.