

Planning proposal to rezone 20-24 Tralee Avenue, Killarney Heights

Proposal Title :	Planning proposal to rezone 20-24 Tralee Avenue, Killarney Heights		
Proposal Summary :	The planning proposal seeks to rezone land at 20-24 Tralee Avenue, Killarney Heights (Lot 1 DP 879900) from RE2 Private Recreation to R2 Low Density Residential under Warringah Local Environmental Plan 2011.		
PP Number :	PP_2014_WARRI_003_00	Dop File No :	14/19295

Proposal Details

Date Planning Proposal Received :	18-Nov-2014	LGA covered :	Warringah
Region :	Metro(CBD)	RPA :	Sydney East Joint Regional Plan
State Electorate :	WAKEHURST	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	20-24 Tralee Avenue		
Suburb :	Killarney Heights	City :	Sydney
		Postcode :	2087
Land Parcel :	Lot 1 DP 879900		

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

Contact Name :	Tim Archer
Contact Number :	0285754120
Contact Email :	

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro North East subregion	Consistent with Strategy :	Yes

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MDP Number :		Date of Release :	
Area of Release (Ha) :	0.20	Type of Release (eg Residential / Employment land) :	N/A
No. of Lots :	0	No. of Dwellings (where relevant) :	3
Gross Floor Area :	0	No of Jobs Created :	0
The NSW Government Lobbyists Code of Conduct has been complied with : Yes			
If No, comment :			
Have there been meetings or communications with registered lobbyists? : No			
If Yes, comment : The Department is not aware of any meetings or communications with registered lobbyists with regard to this planning proposal			

Supporting notes

Internal Supporting Notes : **Background**
The site currently consists of two tennis courts, a residential dwelling with a commercial space and a number of established trees mainly around the perimeter of the site with a total area of approximately 2617.85 sqm.

The planning proposal was originally lodged with Warringah Council on 29 November 2013, however, Council did not support the proposal. As a result the applicant lodged a pre-Gateway review with the Department (PGR_2013_WARRI_001_00).

On 30 April 2014, the Sydney East Joint Regional Planning Panel considered the request for a pre-gateway review and determined that the proposal should proceed to a Gateway determination.

Planning Proposal
The planning proposal seeks to amend Warringah Local Environmental Plan 2011 by rezoning the site known as Killarney Heights Tennis Centre, 20-24 Tralee Avenue, Killarney Heights, from RE2 Private Recreation to R2 Low Density Residential.

External Supporting Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The statement of objectives adequately describes the intention of the planning proposal to amend the Warringah Local Environmental Plan 2011.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The explanation of provisions adequately addresses the intended changes to the Warringah Local Environmental Plan 2011.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required? **Yes**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

The proposal is consistent with the aims and objectives of s117 Directions 3.1, 3.4 and 7.1 as it provides additional housing within close proximity to existing infrastructure and services.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment :

A minimum 14 day exhibition period is proposed.

PROJECT TIMELINE

The planning proposal contains an estimated project timeline of 9 months.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP :

Warringah Local Environmental Plan was notified in 2011.

Assessment Criteria

Need for planning proposal :	The planning proposal is not a result of strategic studies, rather a result of the economic viability of a private tennis centre and drop in demand for such a facility. The rezoning of the site is considered to be the best option to enable the future development of the site for non-recreational purposes, enabling a residential subdivision and the provision of low density housing, which is consistent with the surrounding character of the locality.
Consistency with strategic planning framework :	The proposal demonstrates strategic merit and is consistent with the current metropolitan, regional and local planning frameworks. The proposal is consistent with the Metropolitan Plan for Sydney 2036 (2010) and draft Metropolitan Strategy for Sydney to 2031 (2013) as it delivers increased housing choice in the locality that is accessible to public transport, local shops and existing services. The proposal is consistent with the draft North East Subregional Strategy (2007) as it delivers additional housing in the Killarney Heights locality and addresses the housing needs of the local community. In addition, the proposal is also consistent with the draft Housing Strategy 2010, which is Warringah Council's response to the Sydney Metropolitan Strategy 2036, draft North East Sub-Regional Strategy 2031 and Ministerial Direction 7.1 Implementation of Metropolitan Plan for Sydney 2036. In addition, the proposal supports the draft Housing Strategy as the site is well located to benefit from established infrastructure including proximity to open space, public transport, nearby shops, services and employment areas.
Environmental social economic impacts :	The site is not constrained by flooding, bushfire, mine subsidence, acid sulphate soils, coastline hazards or significant land slip. Due to the historical private recreational use of the land, and surrounding residential development, it is unlikely to be contaminated by any previous use. In addition, the site has not been identified as containing critical habitats or threatened species, populations or ecological communities. The site is generally flat, clear of significant vegetation, and is capable of supporting development for the purpose of low density residential development. There is no evidence suggesting adverse impact on the natural environment or economy as a result of the proposed rezoning.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	14 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :			
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			

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Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
1. Appointment of an alternate RPA.pdf	Proposal Covering Letter	Yes
2. Planning Proposal.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

3.1 Residential Zones
3.4 Integrating Land Use and Transport
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information :

1. Prior to undertaking public exhibition, the planning proposal is to be updated, as follows:
(a) amend the Land Use Zoning Map by rezoning the site to R2 Low Density Residential; and
(b) amend the Lot Size Map to apply a minimum lot size of 600sqm across the site.
Note: Maps should be prepared to the standards identified in Standard Technical Requirements for LEP Maps (Department of Planning & Infrastructure 2013).
2. Community consultation is required under sections 56(2)(c) and 57 of the EP&A Act as follows:
(a) the planning proposal must be made publicly available for a minimum of 14 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning & Infrastructure 2013).
3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

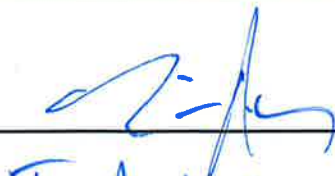
Supporting Reasons :

The proposal is considered to have strategic merit in proceeding to Gateway, demonstrating consistency with the current metropolitan, regional and local planning frameworks and relevant Section 117 Directions. While also providing additional housing choice that is consistent with the surrounding low density residential neighbourhood.

The Department supports the planning proposal proceeding, to allow for public exhibition and feedback on the proposal.

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Signature:



Printed Name:

Tim Archer

Date:

21.11.14