

Part 1B Donovan Street, Revesby Heights - rezoning and reclassification

Proposal Title : Part 1B Donovan Street, Revesby Heights - rezoning and reclassification

Proposal Summary : The planning proposal seeks to rezone part of 1B Donovan Street, Revesby Heights from 6(a) Open Space to 2(a) Residential, apply an FSR of 0.5:1, a maximum height limit of 9m and reclassify the land from community to operational.

PP Number : PP_2014_BANKS_002_00 Dop File No : 14/06440

Proposal Details

Date Planning Proposal Received : 28-Mar-2014 LGA covered : Bankstown

Region : Sydney Region West RPA : Bankstown City Council

State Electorate : BANKSTOWN Section of the Act : 55 - Planning Proposal

LEP Type : Spot Rezoning

Location Details

Street : part 1B Donovan Street

Suburb : Revesby Heights City : Sydney Postcode : 2212

Land Parcel : Lot 4238 DP 222163

DoP Planning Officer Contact Details

Contact Name : Lillian Charlesworth

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RPA Contact Details

Contact Name : Ryan Bevitt

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DoP Project Manager Contact Details

Contact Name : Terry Doran

Contact Number : 0298601149

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Land Release Data

Growth Centre : Release Area Name :

Regional / Sub Regional Strategy : Metro West Central subregion Consistent with Strategy : Yes

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MDP Number :

Date of Release :

Area of Release
(Ha) :

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 5
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes
Lobbyists Code of
Conduct has been
complied with :

If No, comment : The agency's register of lobbyist contacts was examined on 7 April and there are no records of any contacts related to this planning proposal.

Have there been No
meetings or
communications with
registered lobbyists? :

If Yes, comment : To the best of the regional teams knowledge, there have been no meetings or communications with registered lobbyists.

Supporting notes

Internal Supporting
Notes :

External Supporting Notes : The site is owned by Bankstown Council and is currently used as car parking for the adjoining Ex-Servicemen's Club and as a garden incorporating a community war memorial.

Adequacy Assessment

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

Is a statement of the objectives provided? Yes

Comment : The Revesby Ex-Servicemen's Club has used the subject land as a car park and garden - based on an agreement between Council and the Club made in the 1970s.

In 2013, the Club vacated the site, leading to a review of the future use of the land. Given that the land is surplus to open space needs, the planning proposal will enable redevelopment compatible with the surrounding residential area.

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

Is an explanation of provisions provided? Yes

Comment : The planning proposal seeks to amend Bankstown Local Environmental Plan 2001 as follows:
- rezone the land from 6(a) Open Space to 2(a) Residential;
- apply a maximum FSR of 0.5:1;
- apply a maximum building height of 9m; and
- reclassify the land from community to operational,
for land located at (part) 1B Donovan Street, Revesby Heights.

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

4.1 Acid Sulfate Soils

4.3 Flood Prone Land
4.4 Planning for Bushfire Protection
6.2 Reserving Land for Public Purposes
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 19—Bushland in Urban Areas
SEPP No 55—Remediation of Land

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

SECTION 117 DIRECTION 3.1 RESIDENTIAL ZONES

The proposal is consistent with this Direction as it will contribute to future housing needs in an area with existing infrastructure and services.

SECTION 117 DIRECTION 3.4 INTEGRATING LAND USE AND TRANSPORT

As the Revesby Ex-Servicemen's Club has vacated the adjoining building, the existing car park is no longer required. The proposal is consistent with this direction as future residents will be located in the vicinity of a local bus route and the Revesby Heights neighbourhood shops.

SECTION 117 DIRECTION 4.1 ACID SULFATE SOILS

The proposal is inconsistent with this Direction as the land is affected by class 5 acid sulfate soils and an acid sulfate soils study has not been prepared. This inconsistency is justified as it is of minor significance given the class of acid sulfate soils and the low density nature of the proposed zone.

SECTION 117 DIRECTION 4.4 PLANNING FOR BUSHFIRE PROTECTION

As the site is within a bushfire prone land buffer area, Council is required to consult with the Commissioner of the NSW Rural Fire Service following the receipt of a Gateway determination and prior to the commencement of community consultation.

SECTION 117 DIRECTION 6.2 RESERVING LAND FOR PUBLIC PURPOSES

The South East Local Area Issues Paper and Council's Open Space Strategy, have determined that the land is surplus to current and future open space needs. Open space provision within the South East Local Area is above the benchmark rate of 2.83ha/1,000 persons and this is expected to continue to 2031. Residents of Revesby Heights are within 400m walk of existing open space at River Reserve and Neptune Park.

It is recommended that pursuant to s117 Direction 6.2, the Director General's delegate approve that the planning proposal may seek to remove the 6(a) Open Space Zone from the subject land as of minor significance.

SEPP 19 BUSHLAND IN URBAN AREAS

The planning proposal has taken into account the aims of the SEPP.

SEPP 55 REMEDIATION OF LAND

The proposal is currently inconsistent with the SEPP as Council is required to consider the suitability of rezoning the site for residential use in the context of potential contamination (from use of the land as a car park).

Council intends to consider the results of a preliminary contamination study prior to community consultation to achieve consistency with the SEPP.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment : The maps are suitable for the purposes of community consultation.

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Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council proposes a 28 day exhibition period.**

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 : **June 2014**

Comments in
relation to Principal
LEP :

The draft principal LEP was submitted to Planning and Infrastructure for finalisation on 4 April, 2014. The planning proposal is designed to be consistent with the standard instrument LEP to enable future integration. The planning proposal should be amended to indicate that the amendment may be made to either the principal LEP or Bankstown LEP 2001.

Assessment Criteria

Need for planning
proposal :

The planning proposal is required to enable redevelopment of land, no longer required for car parking or open space purposes.

Consistency with
strategic planning
framework :

The proposal is not inconsistent with the Metropolitan Strategy for Sydney, the draft West Central Subregional Strategy and the Bankstown Community Plan.

Environmental social
economic impacts :

The planning proposal indicates that the site does not contain any critical habitat or threatened species communities. While this is the case, given the presence of vegetation on the site it is recommended that Council consults with the Office of Environment and Heritage.

Further, the proposal is consistent with the achievement of integrated social and economic renewal given the proximity of the site to the Revesby Heights neighbourhood shops.

Redevelopment of the land will require the relocation of an existing community war memorial to a more accessible and suitable location.

Assessment Process

Proposal type :	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months	Delegation :	RPA
Public Authority Consultation - 56(2) (d) :	Office of Environment and Heritage NSW Rural Fire Service Transport for NSW - Roads and Maritime Services		

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Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

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
1B Donovan Street, Revesby Heights - cover letter.pdf	Proposal Covering Letter	Yes
Part No. 1B Donovan Street, Revesby Heights - 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
- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 6.2 Reserving Land for Public Purposes
- 7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : The proposal is of minor significance and it is recommended that the determination function of the Gateway be exercised by the Director, Metropolitan Delivery (Parramatta).

Delegation to Council

Although Bankstown Council has not requested that it exercise its delegations, the matter is of local significance and it is recommended that the making of the LEP be delegated to Council. It is noted that no interests etc. are being discharged.

Section 117 Directions

It is recommended that the delegate agree that any inconsistency with s117 Direction 4.1 Acid Sulfate Soils is of minor significance.

SEPP 55 - Remediation of Land

It is recommended that the delegate agree to allow Council to achieve consistency with SEPP 55 by undertaking a preliminary contamination investigation prior to the commencement of community consultation.

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Recommended Gateway Conditions

It is recommended that the planning proposal proceed, subject to the following:

1. Prior to exhibition, the planning proposal is to be amended to indicate the area (in square metres) of the subject land parcel and state that the land is owned by Council.
2. Community consultation is required under section 56(2)(c) and 57 of the EP&A Act 1979 for a period of 28 days.
3. Consultation with the following State agencies take place during the public exhibition period:
 - Office of Environment and Heritage; and
 - Transport for NSW (Roads and Maritime Services).
4. Prior to placing the planning proposal on public exhibition, Council is to consult with the Commissioner of the NSW Rural Fire Service and amend the planning proposal if necessary; and
5. The planning proposal should be completed in 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The planning proposal should proceed as it is supported by Council's South East Local Area Issues Paper and Open Space Strategic Plan which show that the site is surplus to open space requirements.

Signature:



Printed Name:

T. DORAN

Date:

16/4/14