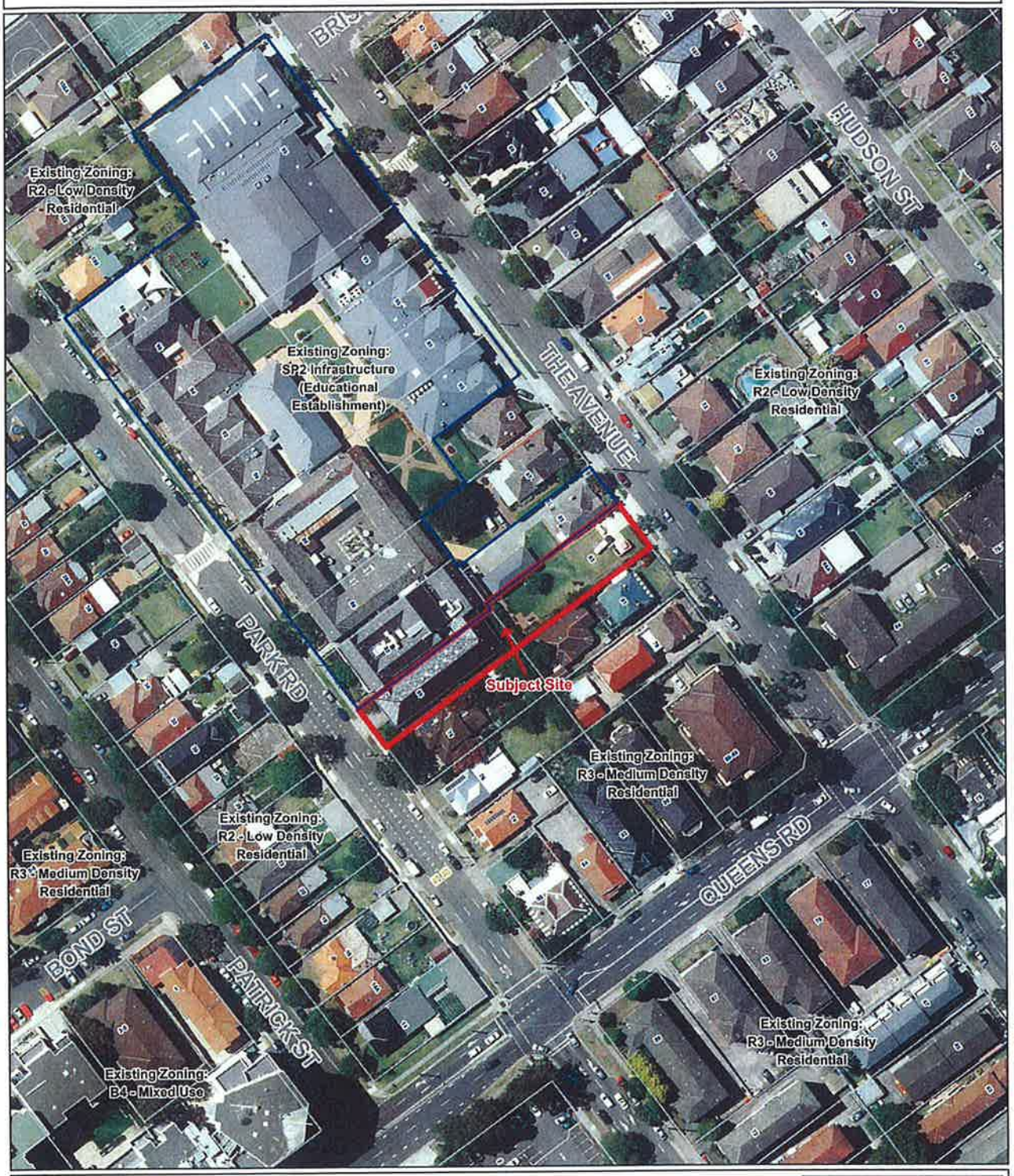
Attachments

Attachment 1:

Aerial of Subject Land and Site identification map

Planning Proposal - Danebank School - Location Map
80 Park Rd and 83 The Avenue, Hurstville



Legend

- Subject Site
- School land currently zoned SP2

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Attachment 2:

Draft Hurstville LEP 2012 Maps

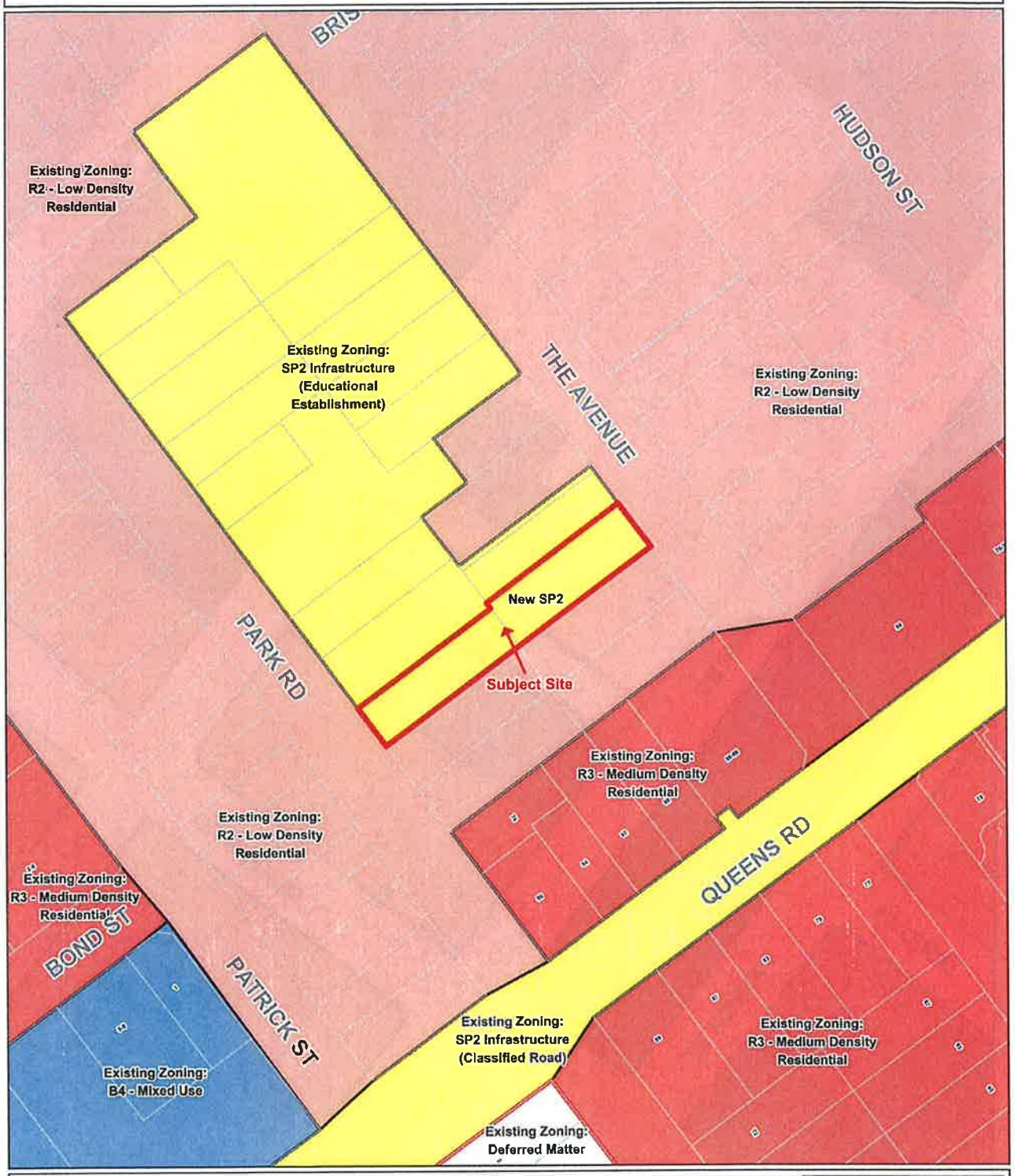
Land Zoning Map Sheet LZN_008

Lot Size Map Sheet LSZ_008

Height of Buildings Map Sheet HOB_ 008A

Floor Space Ratio Map Sheet FSR_008A.

Planning Proposal - Danebank School - Proposed Zoning
80 Park Rd and 83 The Avenue, Hurstville



Legend

Subject Site to be rezoned to SP2 Infrastructure (Educational Establishment)

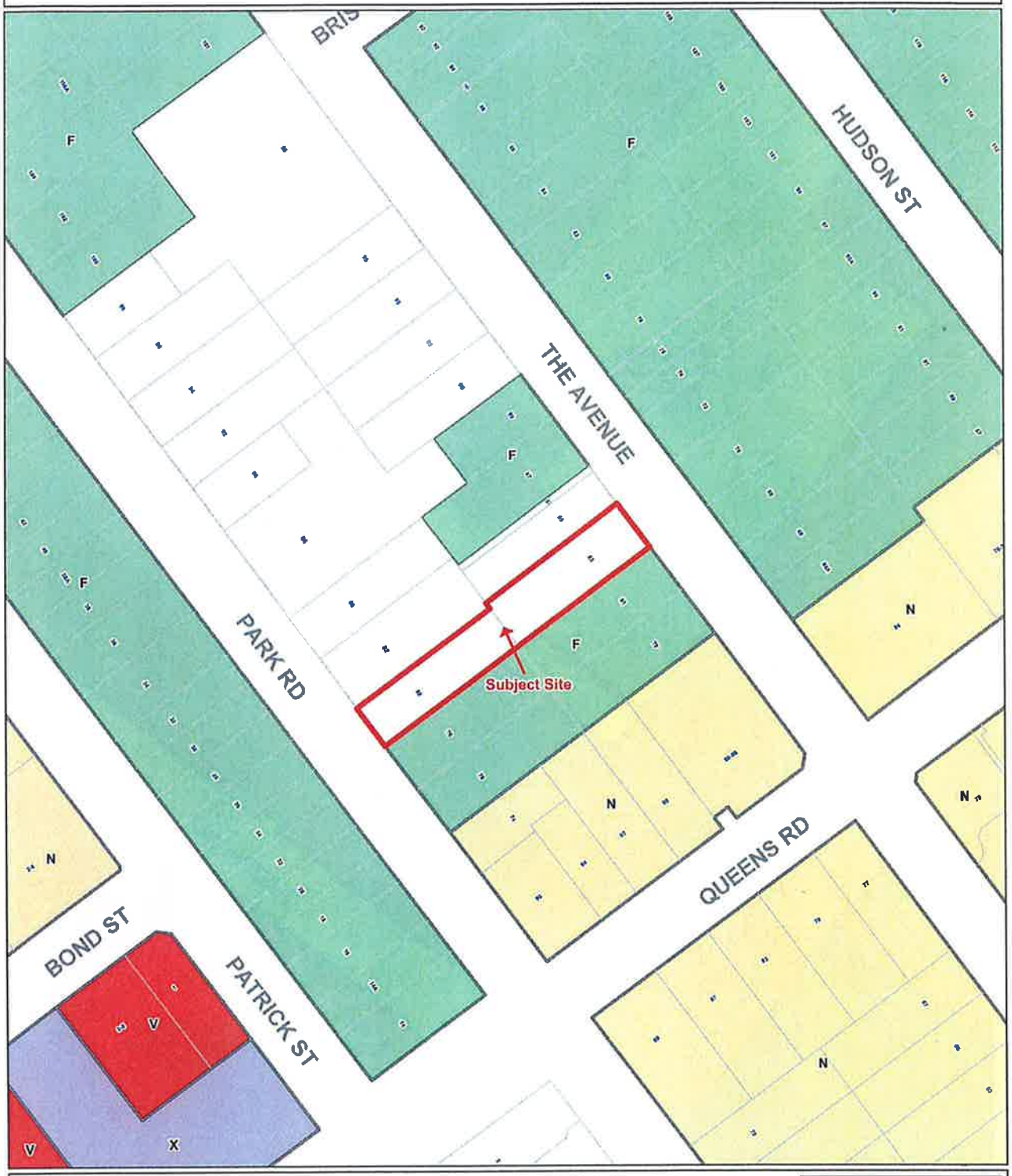
LEP 2012 Zones

- R2 Low Density Residential
- Medium Density Residential
- SP2 Infrastructure
- B4 Mixed Use
- DM Deferred matter

N

Hurstville City Council

Planning Proposal - Danebank School - Proposed Floor Space Ratio - 80 Park Rd and 83 The Avenue, Hurstville



Legend

Subject Site to have Floor Space Ratio control removed.

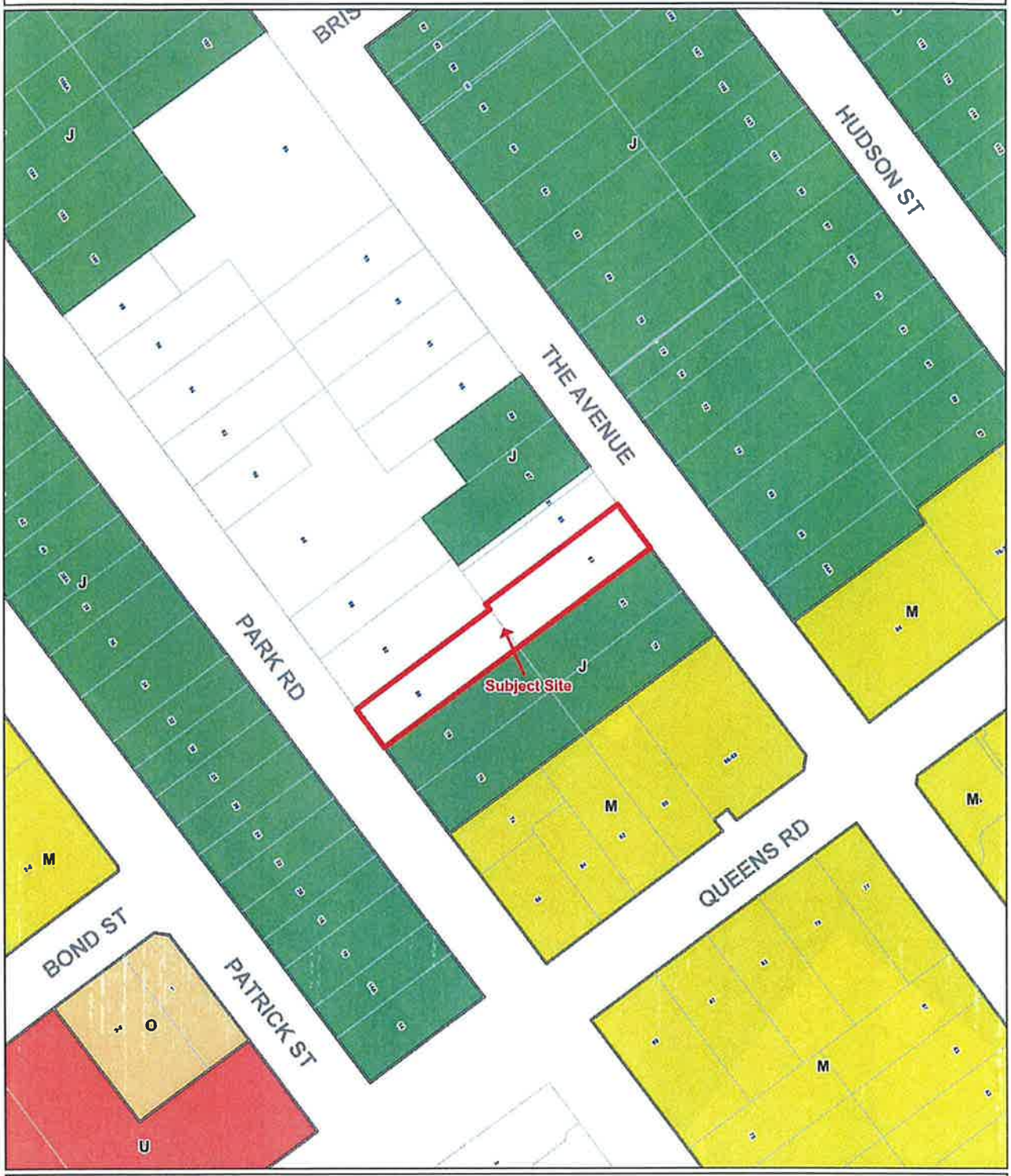
LEP 2012 - Floor Space Ratio

F	0.6 : 1	V	3.0 : 1
N	1.0 : 1	X	4.0 : 1

Hurstville City Council

I:\PLANNING and LEP\Amendments and Proposals\PP2015-0003 – R2-SP2 - Danebank School\PP2015-0003 - Danebank School - Proposed FSR.wor

Planning Proposal - Danebank School - Proposed Height of Buildings - 80 Park Rd and 83 The Avenue, Hurstville



Legend

Subject Site to have Height of Buildings control removed.

LEP 2012 - Maximum Height of Buildings

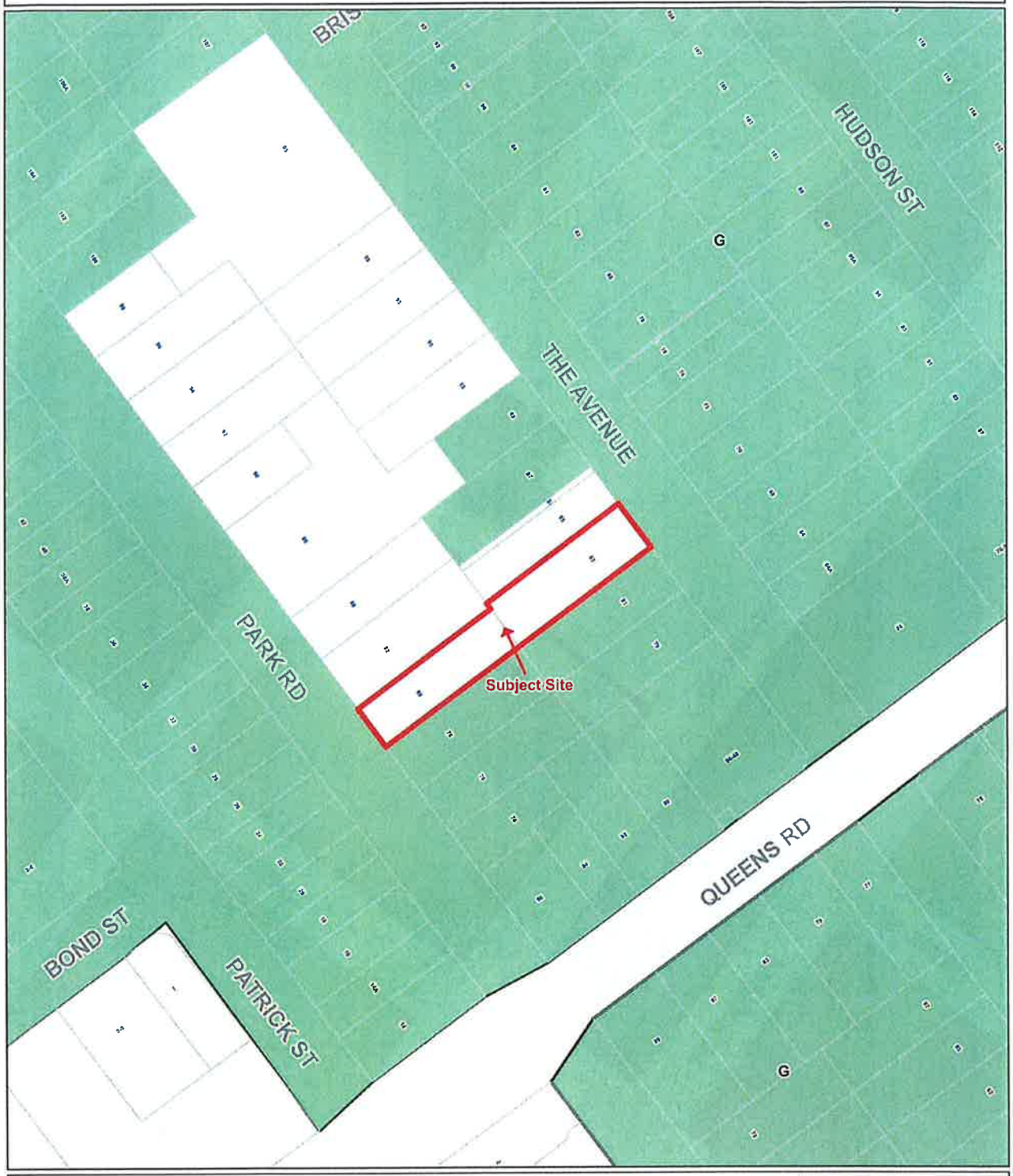
	9 m	O	15 m
M	12 m		30 m

Hurstville City Council

N

I:\PLANNING and LEP\Amendments and Proposals\PP2015-0003 – R2-SP2 - Danebank School\PP2015-0003 - Danebank School - Proposed HOB.wor

Planning Proposal - Danebank School - Proposed Minimum Lot Size - 80 Park Rd and 83 The Avenue, Hurstville



Legend

Subject Site to have Minimum Lot Size control removed.

LEP 2012 - Minimum Lot Size

G 450 sq m

Hurstville City Council

I:\PLANNING and LEP\Amendments and Proposals\PP2015-0003 – R2-SP2 - Danebank School\PP2015-0003 - Danebank School - Proposed Zoning.wor

Attachment 3:

Council Report and Resolution (2 March 2016)

CCL054-16 PLANNING PROPOSAL FOR 80 PARK ROAD AND 83 THE AVENUE HURSTVILLE - DANEBANK

Report Author/s	Independent Assessment, Consultant Planner
File	PP2015/0003
Previous Reports Referenced	No
Community Strategic Plan Pillar	Economic Prosperity
Existing Policy?	Yes New Policy Required? Yes
Financial Implications	Within Budget
Reason for Report	For Approval
Interested Parties	Sydney Anglican Schools Corporation; Danebank Anglican School for Girls
Company Extract included	Yes

EXECUTIVE SUMMARY

Sydney Anglican Schools Corporation has submitted a request that Council prepare a planning proposal to change the zoning of two (2) lots within the Danebank School campus from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment) consistent with the majority of the Danebank School campus.

The Planning Proposal (PP2015/0003) requests the following amendments to the Hurstville Local Environmental Plan 2012 ("LEP 2012") in relation to the Subject Site:

- Amend the Land Zoning Map to rezone the Subject Site from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments);
- Amend the Minimum Lot Size Map to remove the minimum lot size of 450m^2 and identify no minimum lot size for the Subject Site, consistent with the SP2 Infrastructure zoned land;
- Amend the Height of Buildings Map to remove the maximum building height of 9m and identify no maximum building height for the Subject Site, consistent with the SP2 Infrastructure zoned land; and
- Amend the Floor Space Ratio Map to remove the maximum floor space ratio of 0.6:1 and identify no maximum floor space ratio for the Subject Site, consistent with the SP2 Infrastructure zoned land.

A development application (DA2015/0198) for the installation of demountable buildings (containing 6 classrooms) on 83 The Avenue was recently approved (06/11/2015) and will facilitate the establishment of demountable school classrooms in the south-east corner of the Danebank School whilst another part of the school campus is redeveloped and upgraded. No other development applications are currently being considered on the Subject Site.

AUTHOR RECOMMENDATION

THAT Council support the forwarding of the Planning Proposal (PP2015/0003) to the Department of Planning and Environment to request a Gateway Approval to rezone land within the Danebank School Campus (80 Park Road and 83 The Avenue, Hurstville) to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum floor space ratio controls consistent with SP2 Infrastructure zoned land.

REPORT DETAIL

BACKGROUND

The request to prepare a Planning Proposal (PP2015/0003) for two (2) lots within the Danebank School was submitted by the Sydney Anglican Schools Corporation on 2 October 2015.

The majority of land within the Danebank School campus is zoned SP2 Infrastructure (Educational Establishments); the remaining lots are zoned R2 Low Density Residential (consistent with the surrounding residential area).

The zoning of the Danebank School site in the Hurstville LEP 2012 (SP2 Infrastructure (Educational Establishments)) was a direct transfer from the previous Hurstville LEP 1994 zoning (Zone 5(a) (General Special Uses (School)). Those sites within the Danebank School campus zoned 2 (Residential Zone) under the Hurstville LEP 1994 were transferred to the equivalent R2 Low Density Residential Zone. It is noted that the State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of "educational establishments" with consent in "prescribed zones". The R2 Low Density Residential is a "prescribed zone" under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

Sydney Anglican Schools Corporation has requested that two (2) lots currently zoned R2 Low Density Residential be rezoned to SP2 Infrastructure.

An independent planning consultant has been contracted to review the Planning Proposal and commence the assessment, including the preparation of this report.

Planning Proposal Documentation

The Planning Proposal request submitted by Sydney Anglican Schools Corporation on 2 October 2015 was supported by the following documents:

- Planning Proposal, Regularisation of Zoning of School-owned land to SP2 Infrastructure (Educational Establishment), September 2015 (refer Appendix 1);
- Staging Plan, Danebank School, Hurstville, Butler & Co Architects, May 2015 (refer Appendix 1);
- Planning Proposal, Completed Form and Checklist, 2 October 2015; and
- Letter of Owners Consent, Sydney Anglican Schools Corporation, 2 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 Subject Site includes two (2) lots with a combined area of approximately 1,335m^2 which are known as 80 Park Road and 83 The Avenue, Hurstville and comprise:

- Lot 2 in DP 319591 (No. 80 Park Road) is a rectangular shaped lot which measures approximately 620m^2 and has a frontage of approximately 13m to Park Road and a depth of 47m; and
- Lot 99 in DP 1595 (No. 83 The Avenue) is a rectangular shaped lot which measures approximately 715m^2 and has a frontage of approximately 15m to The Avenue and a depth of 47m.

The Subject Site is shown in Figure 1 below.

Figure 1: Site (bounded in red) and Surrounding Land (Source: SixMaps, NSW Government)

The existing buildings on the Subject Site are described below:

- 80 Park Road includes part of the Danebank Senior School building; a two storey school building known as "Wingara" and attached to an adjoining two storey school building also fronting Park Road; and
- 83 The Avenue includes an area at the front used for open space and waste storage. The rear of the site is currently used for school bus parking and for a school playground and open space. As considered above, DA2015/0198 for the installation of demountable buildings (containing 6 classrooms) was recently approved and will facilitate the establishment of demountable school classrooms on the site whilst another part of the school campus is redeveloped and upgraded.

Site History

The Planning Proposal request provides a brief history of the Danebank School site, noting that the "*Danebank School was established in 1933 and has accommodated further growth through progressive, staged expansion of the school campus since that time*". Details of recent development consents (since 1993) have been listed and include construction of school library, staff rooms, class rooms, swimming pool complex and gymnasium, school hall and increase in staff and student numbers. The master plan for the staged redevelopment of the Danebank School was also provided and shows the Danebank School's proposed staging plan.

The zoning of the Danebank School site in the Hurstville LEP 2012 (SP2 Infrastructure (Educational Establishments)) was a direct transfer from the previous Hurstville LEP 1994 zoning (Zone 5(a) General Special Uses (School)). Those sites within the Danebank School campus zoned 2 (Residential) under the Hurstville LEP 1994 were transferred to the equivalent R2 Low Density Residential Zone. It is noted that the State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of educational establishments with consent in "prescribed zones". The R2 Low Density Residential is a "prescribed zone" under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

Surrounding Land

The Subject Site is on the southern boundary of the Danebank School campus as shown in Figure 1 above. The school contains both two (2) and three (3) storey buildings, with an internal open space area within the central spine of the school campus. As noted in the Planning Proposal request "*the Junior and Senior School buildings are the dominant land use within the Park Road and The Avenue streetscape with 2-3 storey administration and classroom buildings extending along Park Road, with a Design and Technology building called "The Terraces", a Drama and Performing Arts Centre and Gymnasium, ancillary school buildings and school bus parking area fronting The Avenue. The Danebank College Aquatic Centre, comprising an indoor swimming pool, multi-purpose sports court and carpark under also fronts The Avenue, a short distance away, to the north*".

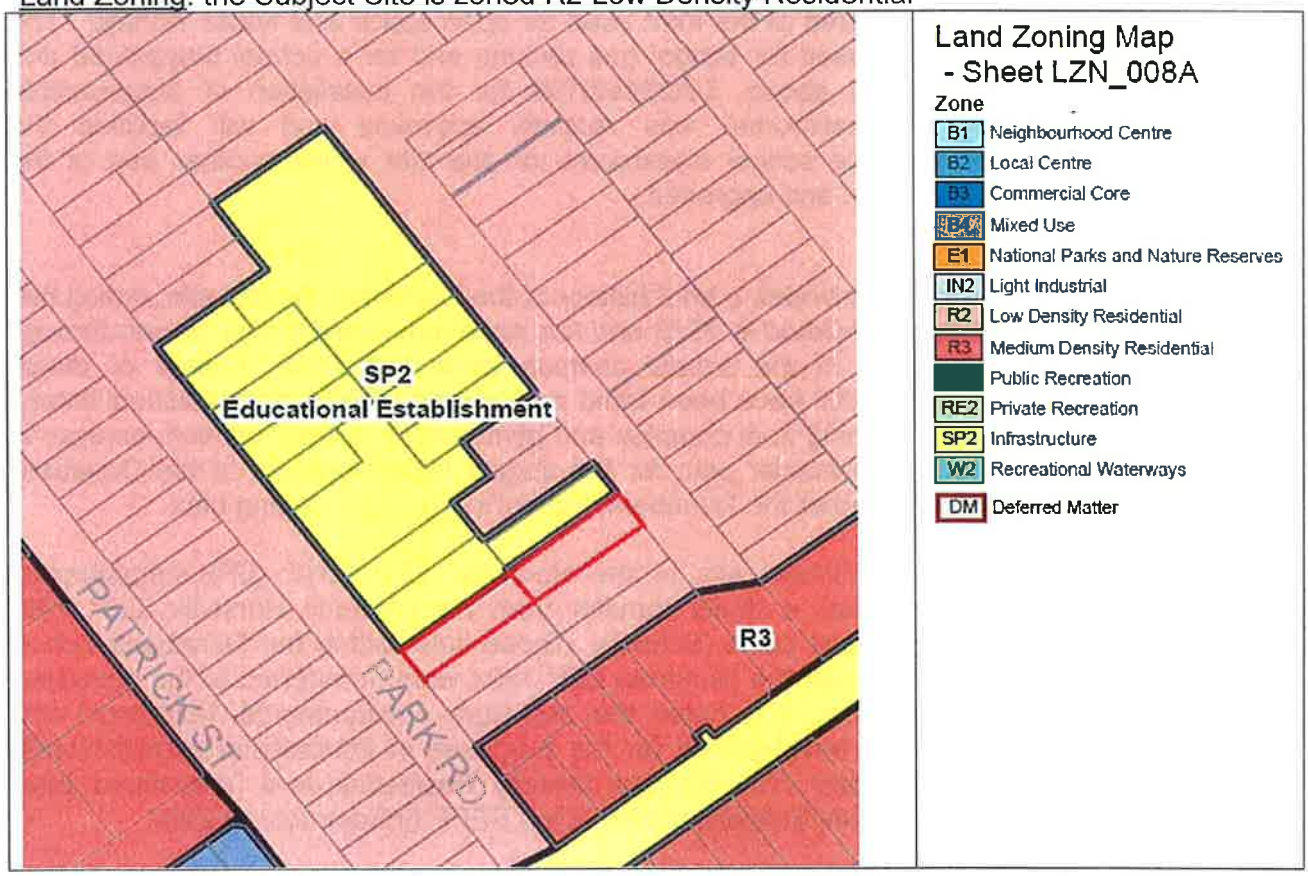
A summary of the surrounding land is provided below:

- North of the site is the Danebank School campus, with the staff cottage located directly to the north of 83 The Avenue. The Resources Centre is located on both 80 Park Road and the lot directly to the north.
- South of the site is residential land use with 81 The Avenue and 78 Park Road including single and two (2) storey dwellings. Further south are single detached dwellings, with a number of multi storey residential flat buildings further south towards Queens Road;
- West of the site (across Park Road) are the rear boundaries of the dwelling houses fronting Patrick Street.
- East of the site (across The Avenue) are predominantly single detached dwellings of one (1) and two (2) storeys.

Existing Planning Controls

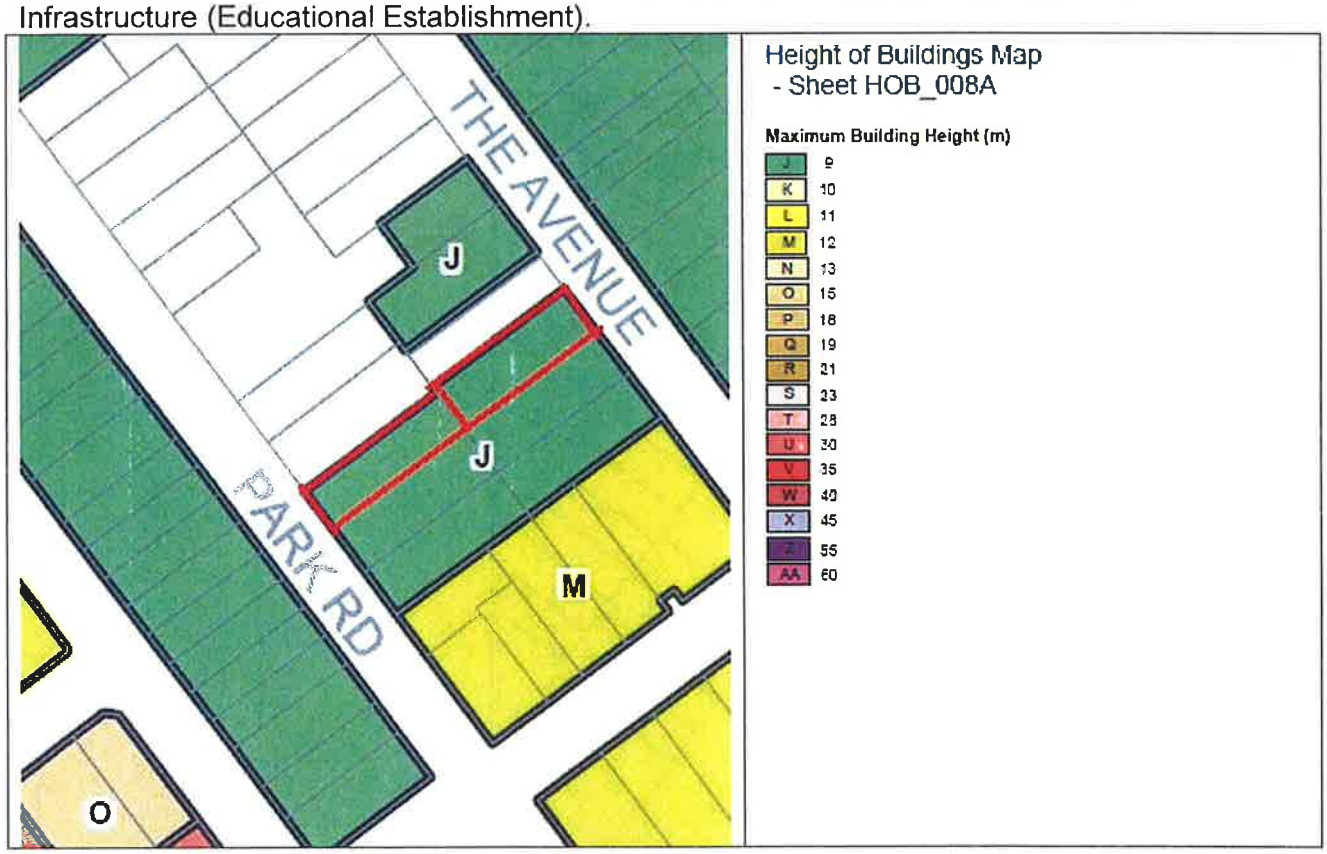
The Hurstville LEP 2012 applies to the Subject Site and the following provisions are relevant to the Planning Proposal:

Land Zoning: the Subject Site is zoned R2 Low Density Residential

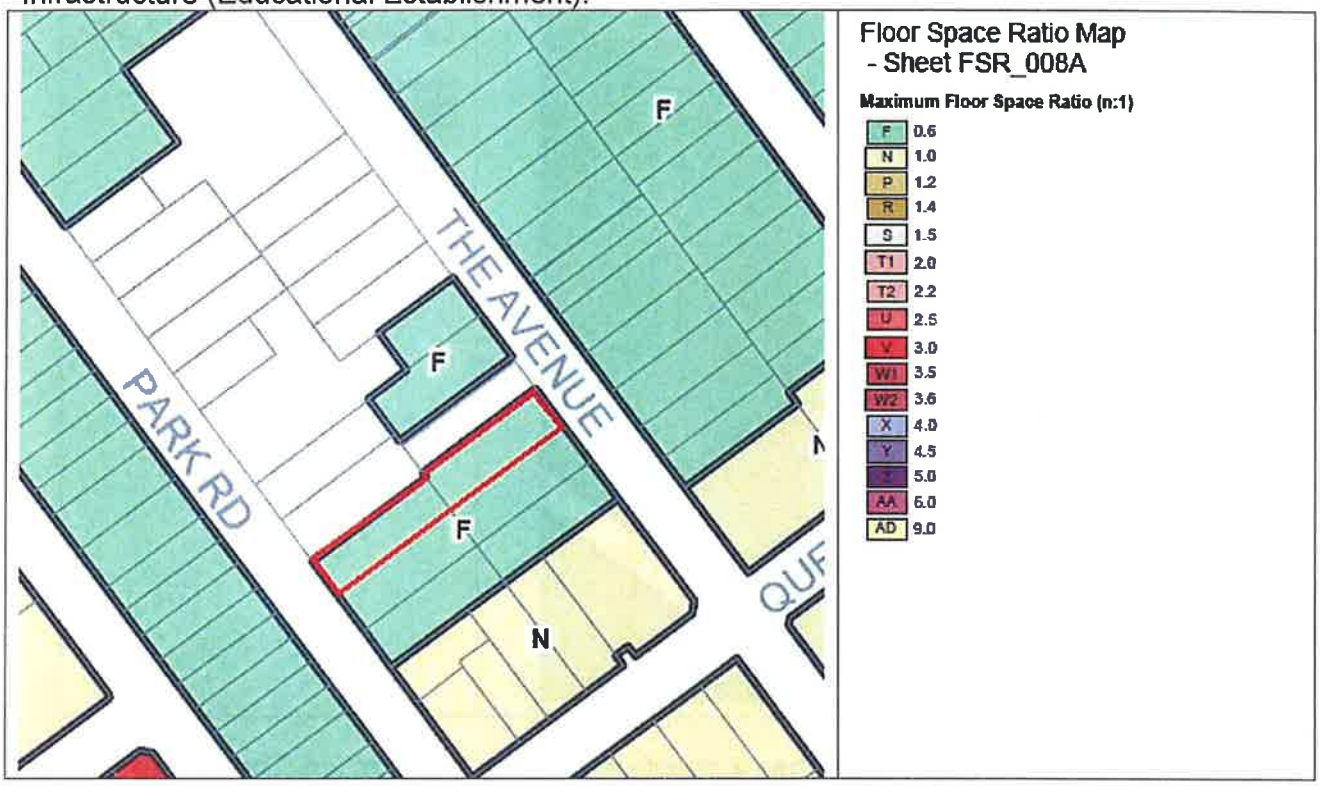


Minimum Lot Size: the Subject Site has a minimum subdivision lot size of 450m^2. There is no minimum lot size specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).

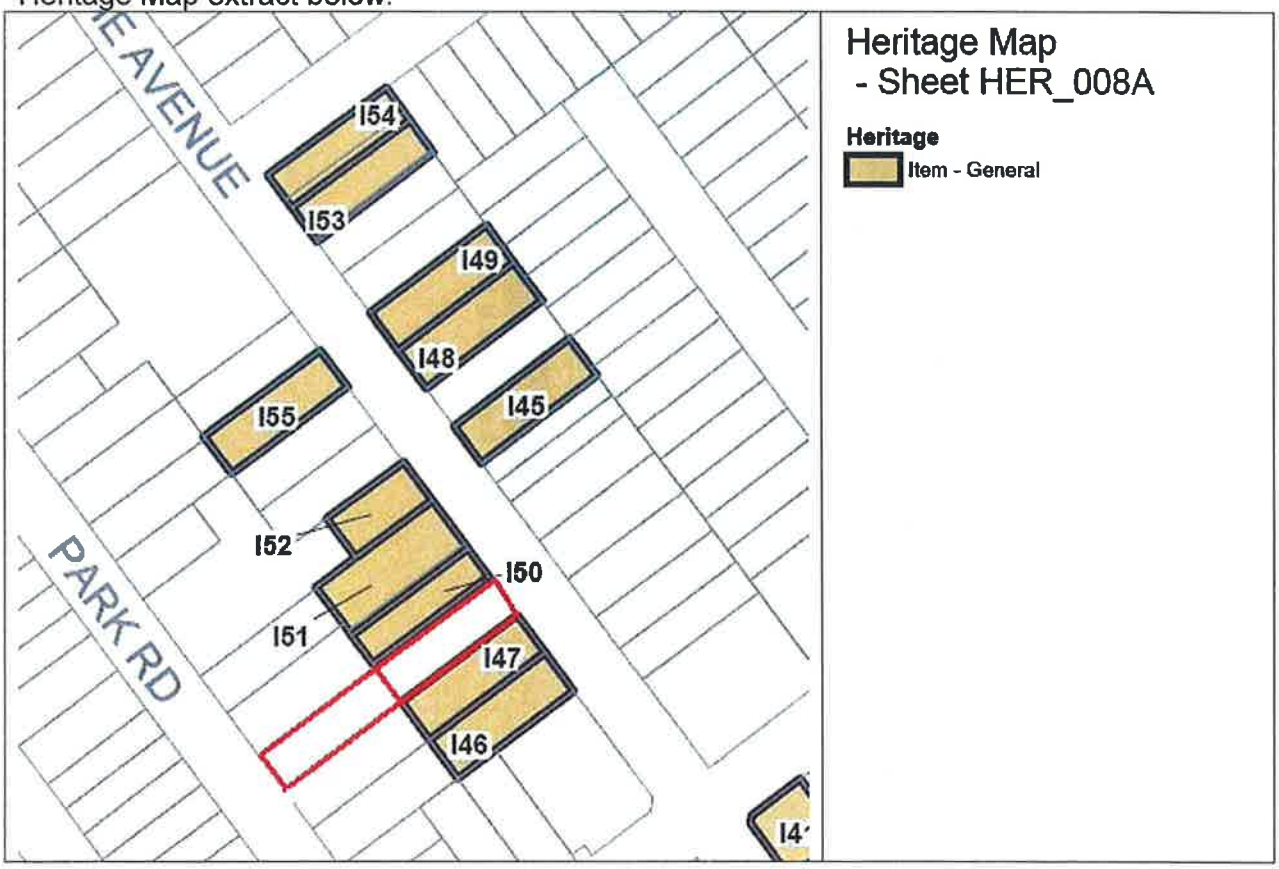
Height of Buildings: the Subject Site has a maximum building height of 9m. There is no maximum building height specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).



Floor Space Ratio: the Subject Site has a maximum floor space ratio of 0.6:1. There is no maximum floor space ratio specified for the Danebank School campus land zoned SP2 Infrastructure (Educational Establishment).



Heritage: the Subject Site is not identified as a heritage item or located within a heritage conservation area. A number of heritage items are located in close proximity as shown in the Heritage Map extract below.



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); and
- "A guide to preparing local environmental plans" (April 2013).

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

- 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); and
- 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 and Intended Outcomes

The objective of the Planning Proposal is to rezone two (2) lots within the Danebank School campus from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment) and remove the principal development standards (minimum lot size, maximum building height and maximum floor space ratio), consistent with the zoning and planning controls for the majority of the Danebank School campus and which reflect the use of the land as an "educational establishment".

The intended outcomes of the Planning Proposal are to:

- Provide a uniform SP2 Infrastructure (Educational Establishment) zoning and development standards for the majority of the Danebank School campus;
- Ensure that the land use zone reflects the existing use of the land as an "educational establishment";
- Create certainty in relation to the retention of community (educational) assets that will support the social, community and educational needs of the community; and
- Ensure that sufficient zoned land for educational establishments is provided within the Hurstville LGA and is available for existing and future residents.

Part 2 – Explanation of Provisions

The proposed intended outcome (refer Part 1) will be achieved by amending the Hurstville LEP 2012 as follows:

- Amending the *Land Zoning Map* (Sheet LNZ_008) on the Subject Site in accordance with the proposed zoning map shown in Appendix 2 to change the zoning of the site from R2 Low Density Residential Zone to SP2 Educational Establishments; and
- Amending the *Lot Size Map* (Sheet LSZ_008)) to remove the minimum lot size applicable to the Subject Site in accordance with the proposed Lot Size Map shown in Appendix 2;
- Amending the *Height of Buildings Map* (Sheet HOB_008) to remove the maximum building height applicable to the Subject Site in accordance with the proposed Height of Buildings Map shown in Appendix 2; and
- Amending the *Floor Space Ratio Map* (Sheet FSR_008) to remove the maximum floor space ratio applicable to the Subject Site in accordance with the proposed Floor Space Ratio Map shown in Appendix 2.

It is noted that under the current SP2 Infrastructure zoning for the Danebank School campus no maximum floor space ratio, maximum building height or minimum lot size restrictions apply; generally consistent with SP2 Infrastructure zoned land in the Hurstville LGA.

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 a land use zone consistent with the majority of the land within the Danebank School campus which is zoned SP2 Infrastructure (Educational Establishment).

The Planning Proposal request is the result of a decision by the Sydney Anglican Schools Corporation and Danebank School.

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

State Environmental Planning Policy (Infrastructure) 2007 allows for development for the purposes of educational establishments with consent in "prescribed zones". The R2 Low Density Residential (which the Subject site is currently zoned) is a "prescribed zone" under Part 3 Division 3 Educational Establishments of the SEPP (Infrastructure) 2007.

The Planning Proposal is however the best means of achieving the objectives and intended outcomes by introducing a land use zoning on the Subject Site consistent with the majority of the land within the Danebank School campus, and through the SP2 zoning clearly identifying the land for Infrastructure (Educational Establishment).

Section B – Relationship to strategic planning framework

Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including A Plan for Growing Sydney and exhibited draft South Subregional Strategy)?

The Planning Proposal is not inconsistent with relevant strategies including A Plan for Growing Sydney which sets the strategic direction for Sydney towards 2031 and the draft South Subregional Strategy. The proposed changes to the two (2) lots within the Danebank School campus will have no impact on the objectives and actions of the Plan and draft Strategy and will assist in providing a better educational infrastructure for the locality by facilitating consolidation of zoning controls applicable to an existing educational establishment.

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

The Hurstville LEP 2012 reflects Council's strategic direction for the Hurstville LGA; the Planning Proposal satisfies the following LEP objectives:

- *to encourage and co-ordinate the orderly and economic use and development of land that is compatible with local amenity,*
- *to ensure development is carried out in such a way as to promote the efficient and equitable provision of public services, infrastructure and community facilities,*
- *to concentrate intensive land uses and trip-generating activities in locations most accessible to transport and centres,*

The Planning Proposal will provide for a consistent SP2 Infrastructure (Educational Establishments) zoning of the Danebank School campus.

As detailed in the Planning Proposal request, the zoning change is consistent with the Hurstville Community Strategic Plan 2025 Social and Cultural Development and Economic Prosperity Pillars, in that it will:

- Provide economic prosperity to the LGA and providing quality school facilities for the well-being and benefit of current and future residents; and
- Ensure sufficient educational establishments are provided for the existing and future residents.

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

State Environmental Planning Policies (SEPPs)
The full assessment of the Planning Proposal against all the State Environmental Planning Policies ("SEPPs") is provided in Appendix 3 and within the Applicant's submission (Appendix 1).

The Planning Proposal is not inconsistent with the SEPP (Infrastructure) 2007 provisions. The SEPP will apply to all future development on the SP2 Infrastructure zoned land for the purpose of "educational establishment".

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

Ministerial Direction (Section 117 Directions)
A checklist of the Planning Proposal's consistency with the full set of Section 117 Ministerial Directions is included in Appendix 3. The Directions that are relevant to the Planning Proposal are considered in the Table below.

Section 117 Directions	Comment
3.1 Residential Zones	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.
3.4 Integrating Land Use and Transport	Consistent. The Subject Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. 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,

Section 117 Directions	Comment
	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 Planning Proposal does not hinder the application of this Direction. No lands are proposed to be reserved for Public Purposes through the Planning Proposal.
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?

No. There is no likelihood that critical habitat or threatened species, population or ecological communities, or their habitat will be adversely affected. The site is within the existing Danebank School campus and, as noted above, contains existing school buildings and areas of open space (landscaping and open lawn areas).

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

It is not envisaged that there will be any adverse environmental effects resulting from the proposed change in zoning of the Subject Site. No physical works are proposed and, as noted above, "educational establishments" are currently permitted (with consent) through the provisions of the SEPP (Infrastructure) 2007. The use of the land as an educational establishment will remain. The Planning Proposal request notes that "*over time, the land will be upgraded and redeveloped in response to the changing needs of the School's students and modern teaching practice*".

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

Yes, the social and economic effects have been adequately addressed. There will be no adverse social and economic effects as a consequence of the Planning Proposal. Any future school facilities would be to the benefit of both the Hurstville and wider community and provide services for the growing Hurstville student population. In addition, the Danebank School provides employment opportunities and economic benefits for the local and wider community. The removal of the R2 Low Density Residential zoning on the two (2) lots will not have an impact on housing supply in the Hurstville LGA.

Section D – State and Commonwealth interests

Is there adequate public infrastructure for the planning proposal?

The Planning Proposal zoning change to SP2 Infrastructure (Educational Establishments) will not impact on the current use of the land as a school and will not increase demand on essential public infrastructure. The Subject Site is within the established Danebank School campus which is well serviced by public infrastructure, including:

- Road access, being within close proximity to Queens Road, a major road on the boundary of the Hurstville City Centre; and

- The location of the Danebank School, within walking distance to the Hurstville Train Station and Bus Interchange.

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 identify the Subject Site and the proposed land use zone and development standards:

- Land subject to the Planning Proposal (refer Appendix 2)
- Proposed land use zone (refer Appendix 2)
- Proposed minimum lot size
- Proposed maximum building height
- Proposed maximum floor space ratio

The full set of maps showing the proposed changes is included in Appendix 2.

The current land use zone and principal development standards (minimum lot size, maximum building height and maximum floor space ratio) maps are provided above in an earlier section of the report.

Part 5 – Community Consultation
It is anticipated that 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).

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 Sydney Anglican Schools Corporation.	2 October 2015
Reporting to Council on Planning Proposal	2 March 2016 (this Report)
Anticipated commencement date (date of Gateway determination)	Mid-April 2016
Anticipated timeframe for the completion of required	Mid-April 2016

technical information	
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	Late April 2016
Commencement and completion dates for public exhibition period (twenty eight (28) days)	Late April – Late May 2016
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	June 2016
Timeframe for the consideration by Council of a proposal post exhibition	Early July 2016
Date of submission to the Department to finalise the LEP	Mid-July 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.

CONCLUSION

In summary, the Planning Proposal to rezone two (2) lots within the Danebank School campus from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments), consistent with the zoning of the majority of the campus, and the removal of the principal development standards; minimum lot size, maximum building height and maximum floor space ratio (also consistent with the SP2 Infrastructure zoned land) is supported. The key reasons for support include that the:

- Proposed SP2 Infrastructure (Educational Establishment) zoning and changes to the principal development standards will provide consistent zoning and planning controls across the majority of land within the Danebank School campus and reflects the existing school use of the site;
- Proposed zoning change, and the consequent reduction in R2 Low Density Residential zoned land, will not impact on the supply of residential accommodation in the LGA. The Subject Site has been owned and used by Danebank School for school-related purposes for more than 10 years; and
- Rezoning will provide for long-term certainty for the existing Danebank School, as well as provide for the current and likely future needs of educational facilities in the Hurstville LGA.

NEXT STEPS

Support Planning Proposal

If Council resolves to support the Planning Proposal and send the Planning Proposal to the Department of Planning and Environment for consideration.

Once the Planning Proposal is submitted to the Department the proposal will be assessed and a recommendation to the Minister (or delegate) as to whether there is merit in the proposal proceeding and if so, whether any conditions should be attached to the Proposal to ensure it progresses. If it is determined that a Proposal should proceed, the Minister (or delegate) will issue a Gateway Determination and the matter will be returned to Council to finalise in accordance with any conditions imposed by the Gateway Determination.

Pre-Gateway Review

If Council resolves not to adopt the recommendation in this report to support the Planning Proposal, the Applicant has the opportunity to request a pre-Gateway Review by the Department of Planning and Environment. An applicant has forty (40) days from the date of notification of Council's decision to request a review.

The Department will notify Council of an applicant's request for review if it is confirmed to be eligible and complete. The Council will have twenty one (21) days to provide a response in

relation to why the original request to Council was not supported. The Department will review the Proposal and the Secretary will make the final decision whether the Planning Proposal proceeds to Gateway.

For video relating to 80 Park Road Hurstville click here

For video relating to 83 The Avenue Hurstville click here

APPENDICES

Appendix 1	Planning Proposal - 80 Park Rd and 83 The Avenue Hurstville
Appendix 2	Proposed Map Amendments - 80 Park Road and 83 The Avenue Hurstville
Appendix 3	SEPP and S117 Direction Consideration
Appendix 4	Company Extract - Applicant - 80 Park Rd and 83 The Avenue Hurstville (Confidential)

Council Reports

CCL054-16 Planning Proposal for 80 Park Road and 83 The Avenue Hurstville - Danebank (PP2015/0003)
(Report by Independent Assessment, Consultant Planner)

It was noted that the registered speaker, Mr B Litchfield was not in the Chambers when called upon to speak.

Minute No. 99
RESOLVED THAT Council support the forwarding of the Planning Proposal (PP2015/0003) to the Department of Planning and Environment to request a Gateway Approval to rezone land within the Danebank School Campus (80 Park Road and 83 The Avenue, Hurstville) to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum floor space ratio controls consistent with SP2 Infrastructure zoned land.

FURTHER THAT Council write to the Department of Planning to inquire why the SP2 zoning does not have height and FSR restrictions.

(Moved Councillor C Hindi / Councillor N Liu)

In Favour: His Worship the Mayor, Councillor V Badalati, Deputy Mayor, Councillor D Sin, Councillor C Drane, Councillor C Hindi, Councillor R Kastanias, Councillor N Liu, Councillor J Mining, Councillor P Sansom, Councillor B Thomas

Not in Favour: Councillor M Stevens

Attachment 4:

SEPPs & S117 Directions Compliance Table

State Environmental Planning Policies

The following is a list of State Environmental Planning Policies (SEPPs) that apply to the Subject Site and consideration of the Planning Proposal's consistency with the objectives and provisions of the SEPPs.

State Environmental Planning Policy	Applicable	Consideration
SEPP No.1 – Development Standards	Not applicable to Hurstville.	Repealed by clause 1.9 of Hurstville LEP 2012.
SEPP No.14 – Coastal Wetlands	Not applicable to Hurstville.	--
SEPP No.15 – Rural Landsharing Communities	Not applicable to Hurstville.	--
SEPP No.19 – Bushland in Urban Areas	Not applicable to the Planning Proposal.	The Subject Site is located within the established urban area of Hurstville in the existing Danebank School campus.
SEPP No.21 – Caravan Parks	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will prohibit caravan parks.
SEPP No.26 – Littoral Rainforests	Not applicable to Hurstville.	--
SEPP No.29 – Western Sydney Recreation Area	Not applicable to Hurstville.	--
SEPP No.30 – Intensive Agriculture	Not applicable to Hurstville	--
SEPP No.32 – Urban Consolidation (Redevelopment of Urban Land)	Not applicable to Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone. The Planning Proposal does not hinder the application of this SEPP.
SEPP No.33 – Hazardous and Offensive Development	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Education Establishment) will prohibit hazardous and offensive industries on the Subject Site. The existing R2 Low Density Residential zoning also prohibits these land uses.
SEPP No.36 – Manufactured Home Estates	Not applicable to Hurstville.	--
SEPP No.39 – Spit Island Bird	Not applicable	--

State Environmental Planning Policy	Applicable	Consideration
Habitat	to Hurstville.	
SEPP No.44 – Koala Habitat Protection	Not applicable to Hurstville.	--
SEPP No.47 – Moore Park Showground	Not applicable to Hurstville.	--
SEPP No.50 – Canal Estate Development	Not applicable to the Planning Proposal.	The Planning Proposal does not propose canal estate development.
SEPP No.52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable to Hurstville.	--
SEPP No.55 – Remediation of Land	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
SEPP No.59 – Central Western Sydney Regional Open Space and Residential	Not applicable to Hurstville.	--
SEPP No.62 – Sustainable Aquaculture	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
SEPP No.64 – Advertising and Signage	Not applicable to the Planning Proposal.	Consistent. The Planning Proposal will not hinder the application of this SEPP.
SEPP No.65 – Design Quality of Residential Apartment Development	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential flat buildings will be prohibited under the SP2 zone.
SEPP No.70 – Affordable Housing (Revised Schemes)	Not applicable to Hurstville.	---
SEPP No.71 – Coastal Protection	Not applicable to Hurstville.	--
SEPP (Affordable Rental Housing) 2009	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
SEPP (Building Sustainability Index: BASIX) 2004	Not applicable to the Planning Proposal.	Any future school development will not be required to comply with the BASIX requirements for residential accommodation.

State Environmental Planning Policy	Applicable	Consideration
SEPP (Exempt and Complying Development Codes) 2008	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Residential accommodation will be prohibited under the SP2 zone.
SEPP (Infrastructure) 2007	Applicable to the Planning Proposal.	Consistent. The SEPP will apply to all future development on the SP2 Infrastructure zoned land.
SEPP (Kosciuszko National Park – Alpine Resorts) 2007	Not applicable to Hurstville.	--
SEPP (Kurnell Peninsula) 1989	Not applicable to Hurstville.	--
SEPP (Major Development) 2005	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
SEPP (Penrith Lakes Scheme) 1989	Not applicable to Hurstville.	--
SEPP (Rural Lands) 2008	Not applicable to Hurstville.	--
SEPP (SEPP 53 Transitional Provisions) 2011	Not applicable to Hurstville.	--
SEPP (State and Regional Development) 2011	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this SEPP.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable to Hurstville.	--
SEPP (Sydney Region Growth Centres) 2006	Not applicable to Hurstville.	--
SEPP (Three Ports) 2013	Not applicable to Hurstville.	--
SEPP (Urban Renewal) 2010	Not applicable to the Planning	Not inconsistent. The Planning Proposal does not hinder the

State Environmental Planning Policy	Applicable	Consideration
	Proposal.	application of this SEPP.
SEPP (Western Sydney Employment Area) 2009	Not applicable to Hurstville.	--
SEPP (Western Sydney Parklands) 2009	Not applicable to Hurstville	--
Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment (deemed SEPP)	Not applicable to the Planning Proposal.	Not inconsistent. The Planning Proposal does not hinder the application of this deemed SEPP.

Section 117 Ministerial Directions

The following is a list of Directions issues by the Minister for Planning to relevant planning authorities under section 117(2) of the *Environmental Planning and Assessment Act, 1979*. These directions apply to planning proposals lodged with the Department of Planning and Environment.

Direction	Applicable	Comment
1. Employment and Resources		
1.1 Business and Industrial Zones *Objectives:* *(a) Encourage employment growth in suitable locations* *(b) Protect employment land in business and industrial zones,* *(c) Support the viability of identified strategic centres.*	Not applicable to the Planning Proposal.	The Subject Site is not located within a business or industrial zone.
1.2 Rural Zones	Not applicable to Hurstville.	--
1.3 Mining, Petroleum Production and Extractive Industries *Objective:* *To ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.*	Not applicable to Planning Proposal.	The Planning Proposal does not have any effect on mining, petroleum production and extractive industries.
1.4 Oyster Aquaculture *Objectives:* *(a) To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately*	Not applicable to the Planning Proposal.	The Planning Proposal does not propose a change in land use which could result in adverse impacts on a Priority Oyster Aquaculture Area or an incompatible use of land.

Direction	Applicable	Comment
considered when preparing a planning proposal. *(b) To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oyster and oyster consumers.*		
1.5 Rural Lands	Not applicable to Hurstville.	--
2. Environment and Heritage		
2.1 Environment Protection Zones *Objective:* *To protect and conserve environmentally sensitive areas.*	Not applicable to the Planning Proposal.	The Subject Site is not located within an environmental protection zone and the Proposal does not impact on environmentally sensitive areas.
2.2 Coastal Protection	Not applicable to Hurstville.	--
2.3 Heritage Conservation *Objective:* *To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.*	Not applicable to the Planning Proposal.	The Hurstville LEP 2012 contains Standard Instrument LEP provisions to facilitate the heritage conservation. No change to these provisions is proposed. The Subject Site is not a heritage item or located within a heritage conservation area.
2.4 Recreation Vehicle Areas *Objective:* *To protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.*	Not applicable to the Planning Proposal.	The Planning Proposal is not within an environmental protection zone or coastal areas identified in the Direction.
3. Housing, Infrastructure and Urban Development		
3.1 Residential Zones *Objectives:* *(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* (c) *To minimise the impact of residential development on*	Applicable to Planning Proposal.	The Planning Proposal will result in a very minor reduction in R2 Low Density Residential zoned land. The current and future use of the Subject Site is for an educational establishment.

Direction	Applicable	Comment
environment and resource lands.		
3.2 Caravan Parks and Manufactured Home Estates *Objectives:* *(a) To provide for a variety of housing types* (b) *To provide opportunities for caravan parks and manufactured home estates.*	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Caravan parks and manufactured home estates are prohibited under the SP2 zone.
3.3 Home Occupations *Objective:* *To encourage the carrying out of low-impact small businesses in dwelling houses.*	Not applicable to the Planning Proposal.	The proposed rezoning to SP2 Infrastructure (Educational Establishment) will reflect the current use of the land for school purposes. Dwelling houses (and home occupations) are prohibited under the SP2 zone.
3.4 Integrating Land Use and Transport *Objective:* *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* *(b) Increasing the choice of available transport and reducing dependence on cars* *(c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car* *(d) Supporting the efficient and viable operation of public transport services* (e) *Providing for the efficient movement of freight.*	Not applicable to the Planning Proposal.	Consistent. The Subject Site is strategically positioned in term of proximity to the Hurstville City Centre and the Hurstville Railway Station and Bus Interchange. The Planning Proposal does not hinder the application of this Direction.
3.5 Development Near Licensed Aerodromes	Not applicable to Hurstville.	--
3.6 Shooting Ranges	Not applicable to Hurstville.	--
4. Hazard and Risk		
4.1 Acid Sulfate Soils	Not applicable to Planning	The Subject Site is not within an area identified as land having a

Direction	Applicable	Comment
Objective: *To avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.*	Proposal.	probability of containing acid sulfate soils.
4.2 Mine Subsidence and Unstable Land	Not applicable to Hurstville.	--
4.3 Flood Prone Land	Not applicable to Planning Proposal.	The Subject Site is not within an area identified as Flood Prone Land.
4.4 Planning for Bushfire Protection	Not applicable to Planning Proposal.	The Subject Site is not within a Bushfire Prone Area.
5. Regional Planning		
5.1 Implementation of Regional Strategies	Not applicable to Hurstville.	--
5.2 Sydney Drinking Water Catchments	Not applicable to Hurstville.	--
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to Hurstville.	--
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to Hurstville.	--
5.5 Revoked	--	--
5.6 Revoked	--	--
5.7 Revoked	--	--
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to Hurstville.	--
5.9 North West Rail Link Corridor Strategy	Not applicable to Hurstville.	--
6. Local Plan Making		
6.1 Approval and Referral Requirements *Objective:* *To ensure that LEP provisions encourage the efficient and appropriate assessment of development.*	Yes	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 *Objective:*	Yes	Consistent. The Planning Proposal does not hinder the application of this Direction. No lands are

Direction	Applicable	Comment
(a) To facilitate the provision of public services and facilities by reserving land for public purposes, and *(b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.*		proposed to be reserved for Public Purposes through the Planning Proposal.
6.3 Site Specific Provisions *Objective:* *To discourage unnecessary restrictive site specific planning controls.*	Not applicable to Planning Proposal.	No site specific provisions are proposed.
7. Metropolitan Planning		
7.1 Implementation of A Plan for Growing Sydney *Objective:* *To give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.*	Yes	The Planning Proposal is not inconsistent with the NSW Government's A Plan for Growing Sydney (December 2014).
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to Hurstville.	--