

**Amendment of zoning and development controls for 80 Park Road and 83 The Avenue,
Hurstville (Danebank School Campus)**

Proposal Title : **Amendment of zoning and development controls for 80 Park Road and 83 The Avenue,
Hurstville (Danebank School Campus)**

Proposal Summary : **The planning proposal seeks to rezone and amend development controls relating to two lots
within the Danebank School Campus (No.80 Park Road and No. 83 The Avenue,
Hurstville) under Hurstville Local Environmental Plan 2012 (LEP 2012):**

- **to rezone the lots from R2 Low Density Residential to SP2 Infrastructure
(Educational Establishments); and**
- **to remove the building controls relating to maximum building height, maximum
FSR and minimum lot size.**

**This amendment will align the two sites with the existing controls across the wider Danebank
site.**

PP Number : **PP_2016_HURST_001_00**

Dop File No : **16/04994**

Proposal Details

Date Planning
Proposal Received : **30-Mar-2016**

LGA covered : **Hurstville**

Region : **Metro(CBD)**

RPA : **Hurstville City Council**

State Electorate : **KOGARAH**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **80 Park Road**

Suburb : **Hurstville**

City : **Sydney**

Postcode : **2220**

Land Parcel : **Lot 2 DP319591**

Street : **83 The Avenue**

Suburb : **Hurstville**

City : **Sydney**

Postcode : **2220**

Land Parcel : **Lot 99 DP1595**

**Amendment of zoning and development controls for 80 Park Road and 83 The Avenue,
Hurstville (Danebank School Campus)**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings 0 (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 :

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

If Yes, comment : The Department of Planning and Environment is not aware of any meetings or
communications with registered lobbyists concerning this proposal.

Supporting notes

Internal Supporting Notes : The planning proposal, submitted to the Department on 30 March 2016, propose to:

- rezone lots from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments); and
- remove development controls relating to maximum building height, maximum FSR and minimum lot size.

The planning proposal is recommended to proceed, as it:

- unifies the zoning and development standards across the Danebank School Campus;
- ensures the zoning and development standards reflect the existing use of the

Amendment of zoning and development controls for 80 Park Road and 83 The Avenue, Hurstville (Danebank School Campus)

External Supporting Notes :	- land; • does not adversely affect the LGA's supply of residential accommodation; • provides long-term certainty for the current and future needs of the LGA's educational facilities; • is consistent with State Environmental Planning Policy (Infrastructure) 2007 and Planning Circular, Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007, (PS 09-018); and • is consistent with the majority of other SP2 Infrastructure controls within the Hurstville LGA.
	Council resolved on 2 March 2016 to forward the planning proposal to the Department.
	The proposal will align controls across the Danebank School Campus, as well as the majority of other SP2 Infrastructure zoned sites in the Hurstville LGA. 80 Park Road currently includes part of the Danebank Senior School building. 83 The Avenue currently includes an area used for open space and waste storage. The rear of the site is used to park a school bus and is used as a school playground and open space. Council wishes to exercise its plan making delegation in relation to this proposal.

Adequacy Assessment

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

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

Comment : The objective of the planning proposal is to rezone two 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. This will reflect the use of the land as an "educational establishment".

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

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

Comment : The following provisions are suggested:

- amend the Land Zoning Map for the subject sites from R2 Low Density Residential to SP2 Infrastructure (Educational Establishment);
- amend the Lot Size Map to remove the minimal lot size applicable to the subject land;
- amend the Height of Buildings Map to remove the maximum building height applicable to the subject land; and
- amend the Floor Space Ratio Map to remove the maximum floor space ratio applicable to the subject land.

The explanation of the proposal's provisions is clear.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

* May need the Director General's agreement

3.1 Residential Zones

3.4 Integrating Land Use and Transport

6.1 Approval and Referral Requirements

6.2 Reserving Land for Public Purposes

7.1 Implementation of A Plan for Growing Sydney

**Amendment of zoning and development controls for 80 Park Road and 83 The Avenue,
Hurstville (Danebank School Campus)**

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 (Infrastructure) 2007**

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

A PLAN FOR GROWING SYDNEY

The proposal is considered to be generally consistent with goals and guiding principles relating to the growth and development of strategic centres outlined in the A Plan for Growing Sydney. The aspects which are inconsistent discussed below are considered justifiable due to their minor nature.

Planning Principle 1: Increasing Housing Choice Around All Centres Through Urban Renewal in Established Areas.

This planning principle seeks to increase housing in centres and near stations to enable greater connectivity and access to jobs and services. The planning proposal is considered inconsistent with this principle as the proposed amendments would take away the availability of land zoned R2 Low Density Residential in a strategic centre. However, this inconsistency is minor in nature, as the land is already used for educational purposes.

Direction 1.10 Plan for Education and Health Services to meet Sydney's Growing Needs

The delivery of education facilities is a key objective of this direction. The objective aims to expand school facilities in urban growth areas, whilst delivering planning controls that can accommodate appropriate and timely developments at private schools.

Under this direction, one action is relevant to this planning proposal – Action 1.10.1: Assist the Department of Education and Communities, the Catholic Education Commissions and the Association of Independent Schools of NSW to identify and plan for new school sites throughout Sydney. This action aims to create the opportunity to deliver facilities to meet Sydney's future school needs. The planning proposal is consistent with this action as it will help to facilitate the delivery of future private school facilities and align controls allowing assessment under the SEPP.

Direction 2.2 Accelerate Urban Renewal Across Sydney – Providing Homes Closer to Jobs

The direction aims to support housing growth and supply, urban renewal in centres and public transport corridors. Under this direction, one action is relevant to this planning proposal – Action 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres. The planning proposal is considered inconsistent with this action, as the proposed rezoning would reduce the amount of residential land within a strategic centre. However, it is considered this inconsistency is minor in nature, has been justified within the proposal and the land is already used for educational purposes.

STATE ENVIRONMENTAL PLANNING POLICES

The planning proposals is consistent will all relevant SEPPs.

It is noted SEPP(Infrastructure 2007 is particularly relevant because it aims to facilitate the effective delivery of infrastructure across the State. The proposal is considered to be consistent with the relevant educational establishment provisions. Also a Planning Circular, Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007, (PS 09-018), was issued regarding the assessment of schools under the Infrastructure SEPP. The proposal is consistent with this circular.

SECTION 117 DIRECTIONS

The planning proposal is consistent with all directions except the following, with which it is justifiably inconsistent.

Amendment of zoning and development controls for 80 Park Road and 83 The Avenue, Hurstville (Danebank School Campus)

3.1 Residential Zones

The objectives of this direction are to encourage a variety of housing types, make efficient use of existing infrastructure, and minimise the impact of residential development on the environment and resource lands. The proposal is considered to be inconsistent with this direction because it reduces the total amount of residentially zoned land available within the LGA. The planning proposals inconsistency with this direction has been justified because the reduction is only minor (2 lots) and reflects the existing use of land.

7.1 Implementation of A Plan for Growing Sydney

Minor inconsistencies with this direction have been justified, as explained in the section of this report above dealing with that document.

HURSTVILLE COMMUNITY STRATEGIC PLAN 2025

The planning proposal is considered to be consistent with strategic plan as it:

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

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 to the subject site. However, there will be no impact upon these heritage items as a consequence of the planning proposal.

EXISTING USES

80 Park Road currently includes part of the Danebank Senior School building. 83 The Avenue currently includes an area used for open space and waste storage. The rear of the site is used to park a school bus and is used as a school playground and open space.

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 mapping provided clearly illustrates existing planning controls as well as requested development controls.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Should the planning proposal receive a Gateway determination, the proposal recommends a 28 day public exhibition period, which is supported. Notification of the public exhibition will be through:

- Newspaper advertisement in The St George and Sutherland Shire Leader
- Exhibition notice on the Council's website
- Notices in Council offices and libraries
- Letters to State and Commonwealth Government agencies
- Letters to adjoining landowners

Additional Director General's requirements

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

If Yes, reasons :

Amendment of zoning and development controls for 80 Park Road and 83 The Avenue, Hurstville (Danebank School Campus)

Overall adequacy of the proposal

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

If No, comment : **The proposal is considered adequate and sufficient detail has been provided.**

Proposal Assessment

Principal LEP:

Due Date : **December 2012**

Comments in relation
to Principal LEP :

Assessment Criteria

Need for planning
proposal : **The planning proposal, which does not involve a specific strategic study or report, comes from a decision made by Sydney Anglican Schools Corporation and Danebank School, seeking consistency in regards to zoning throughout their campus.**

Council prepared this planning proposal in response to a Council meeting resolution on 2 March 2016. A planning proposal is necessary to align the development controls of the subject site to be consistent with those applicable to the rest of the Danebank School Campus. These controls are consistent with those found in most SP2 Infrastructure zoned sites across the LGA.

Consistency with
strategic planning
framework : **The planning proposal states it is consistent with key policies. While the Department notes some minor inconsistencies between the proposed amendments and the directions of A Plan for Growing Sydney (and associated Section 117 Direction 7.1) and Section 117 Direction 3.1 Residential Zones, these are considered justifiable.**

Environmental social
economic impacts : **It is agreed with Council there are no known critical habitats or threatened species, populations or ecological communities or their habitats which will be affected by the proposal. Other environmental effects (bushfires, land slips and flooding) are unlikely in Hurstville LGA and the proposal will not impact or enhance environmental risks.**

There will be no adverse social and economic effects as a consequence of the planning proposal. Any future school facilities would be a benefit to both Hurstville and the wider community.

Assessment Process

Proposal type : **Routine** Community Consultation **28 Days**
Period :

Timeframe to make
LEP : **6 months** Delegation : **RPA**

Public Authority
Consultation - 56(2)(d) **Department of Education and Communities**

Amendment of zoning and development controls for 80 Park Road and 83 The Avenue, Hurstville (Danebank School Campus)

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

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
6.1 Approval and Referral Requirements
6.2 Reserving Land for Public Purposes
7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **It is recommended the planning proposal proceeds subject to the following:**
1. Prior to public exhibition, the planning proposal is updated to include a plain English explanation of the intended effect of the proposed provisions.
2. Consultation with the Department of Education and Community is required.
3. The planning proposal is to be publicly exhibited for a minimum of 28 days.
4. A public hearing is not required to be held into the matter.

The planning proposal is to be completed within 6 months of the Gateway Determination.

Supporting Reasons : **The planning proposal is supported as it:**
• provides uniformity in the zoning and development standards across the Danebank School Campus;
• ensures the zoning and development standards reflect the existing use of the land;
• provides consistency with other SP2 zoned land within Hurstville; and
• ensures consistency with State Environmental Planning Policy (Infrastructure) 2007 and planning circular Amended School Provision under State Environmental Planning Policy (Infrastructure) 2007 (PS 09-018).

**Amendment of zoning and development controls for 80 Park Road and 83 The Avenue,
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Signature:

M Kokot

Printed Name:

M Kokot

Date:

8/4/2016