

Planning Proposal

Part A 23 Kiora Road,
2 – 6 Willock Avenue Miranda
Part B Design Excellence Clause
September 2024

PREPARED BY:
Sutherland Shire Council
Strategic Planning Unit



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Part 1. Objectives and intended outcomes

1.1. Background

The purpose of this Planning Proposal is to amend the Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) to amend the key development controls, maximum height and floor space ratio (FSR), applying to 23 Kiora Road, 2-6 Willock Avenue, Miranda in association with the development of the site for mixed use including a community facility.

Council considered a report (PLN020-24) on the merits of the proposal and resolved to prepare a draft Planning Proposal for Gateway Determination. The subject proposal is a significant uplift in height and density. The proposal seeks a maximum height limit of 60m and a FSR of 5.5:1. The proposal will facilitate a new community facility for the current owners of the site, The Salvation Army.

In recognition of the proposed substantial change to the planning controls and to deliver a high standard of design, Council also resolved to include a design excellence clause and apply it to the site. This clause seeks to ensure that future development of this site achieves a high standard of architectural, urban and landscape design, as specified in the design excellence criteria.

This Planning Proposal has been prepared in accordance with Sections 3.33(2) and 3.33(3) of the *Environmental Planning and Assessment Act 1979* (the Act) and the guideline “*Local Environmental Plan Making Guideline*” published by the Department of Planning, Industry and Environment 2023 (DPIE).

1.2. Objective

The draft Planning Proposal seeks to amend SSLEP 2015 for 23 Kiora Road and 2- 6 Willock Avenue, Miranda, to provide for urban renewal and accommodate a mixed-use development, including a community facility (see Planning Proposal Part A).

The draft Planning Proposal also seeks to ensure a high standard of architectural, urban and landscape design by applying a new design excellence clause to the site, and future sites - which will introduce design criteria when assessing future planning proposals and development applications exceeding certain development scale (see Planning Proposal Part B).

1.3. Intended outcomes

The objective of the Planning Proposal (Part A) is to amend SSLEP2015 to increase the maximum permissible height of buildings and floor space ratio control pertaining to the site in association with the provision of a community facility, in order to:

- Contribute to the site’s role as in a strategic centre providing housing, jobs and services in a mixed-use development
- Facilitate a mixed use development incorporating a new community facility for The Salvation Army

- Apply a Design Excellence Clause (as outlined in Planning Proposal Part B) to the site to produce an iconic, landmark building that bring together a community and create a sense of place and identity
- Facilitate an active streetscape and improved public domain

Part A 23 Kiora Rd, 2-6 Willock Ave Miranda

Part 2. Explanation of provisions

2.1. Amendments to the Sutherland Shire LEP 2015

This Planning Proposal specifically applies to the following land (subject site):

- Lot 2 DP 359422 (23 Kiora Road, Miranda)
- Lot 3 DP 21777 (2 Willock Avenue, Miranda)
- Lot 4 DP 21777 (4 Willock Avenue, Miranda)
- Lot 5 DP 21777 (6 Willock Avenue, Miranda)



Aerial Image (2023) of Subject Site at 23 Kiora Road, 2-6 Willock Avenue Miranda (blue)

The subject site is at 23 Kiora Road, 2-6 Willock Avenue, Miranda. Proposed amendments to the planning controls for the subject site include:

Planning Controls	Existing Controls	Proposed Controls
Land Use Zoning	E2 Commercial Centre	No Change
Floor Space Ratio	25 metres	60 metres
Height of Buildings	2:1	5.5:1

Table 1: Summary of current and proposed key development controls (SSLEP2015)

It is proposed that the site be subject to a *Part 6 Local provision*, as follows:

6.26 23 Kiora Road, 2-6 Willock Avenue, Miranda

(1) The objective of this clause is to facilitate the redevelopment of land to which this clause applies for a mixed use development, including a new community facility.

(2) This clause applies to 23 Kiora Road, 2-6 Willock Avenue, Miranda identified as “Area 9” on the Height of Buildings Map and the Floor Space Ratio Map.

(3) A building on land to which this clause applies and designed to accommodate a new community facility may have—

(a) a maximum building height of 60m, and

(b) a maximum floor space ratio of 5.5:1, but only if a minimum floor space ratio of 0.67:1 is to be used as a community facility

This Planning Proposal seeks to retain the existing zoning as E2 Commercial Centre under the SSLEP2015. The zoning objectives are:

- *To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.*
- *To encourage investment in commercial development that generates employment opportunities and economic growth.*
- *To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.*
- *To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*

These zoning objectives encourage development that has high level of accessibility and amenity, and it is to enable residential development as it is consistent with the strategic plans. The South District Plan prioritises Miranda (and Sutherland) as strategic centres. Council's [Local Strategic Planning Statement](#) outlines that the Housing Strategy will seek opportunities for additional housing primarily in and around these identified strategic centres.

2.2. Map changes

The proposed LEP amendment will result in changes to the following mapping layers.
Detailed mapping please refer to *Part 4 Maps*.

Mapping layers	Application	Current Control	Proposed Control
Floor Space Ratio Map	Lot 2 DP 359422 Lot 3 DP 21777 Lot 4 DP 21777 Lot 5 DP 21777	2:1	2:1 And marked as "Area 9"
Height of Buildings Map	Lot 2 DP 359422 Lot 3 DP 21777 Lot 4 DP 21777 Lot 5 DP 21777	25 metres	25 metres and marked as "Area 9"

Part 3. Justification of strategic merit and site-specific merit

3.1. Strategic merit

3.1.1. Section A – Need for the Planning Proposal

Q1: Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

This Planning Proposal is informed by an [Urban Design Analysis](#), as well as other [supporting documentation](#) prepared by the applicant.

The Proposal has been considered by:

- the Sutherland Shire Local Planning Panel (see appendix A Local Planning Panel Meeting Minutes)
- the Design Review Panel (see appendix B Design Review Panel Meeting Minutes)
- Sutherland Shire Council (see appendix C Report to Council)

This Planning proposal responds to the strategic context and framework for the subject site, the proposed development standards are not directly informed by any strategic plan or policy. The Proposal seeks to facilitate housing options within walking catchments to social and transport infrastructure in Miranda, an identified strategic centre under the Greater Sydney Region Plan. The outcomes align with the Sutherland Shire Local Strategic Planning Statement and will be further discussed in **Section 3.1.2**.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The Planning Proposal is the best means of achieving the objectives and intended outcomes for the site. The floor space ratio and height of building in proposed architectural reference scheme is not permissible under the existing SSLEP 2015 nor other planning policies.

The requirement of achieving design excellence is a planning mechanism to secure higher urban qualities and to create a sense of place and identity for the local community, given the significant proposed uplift in density and height.

3.1.2. Section B – Relationship to the strategic planning framework

Q3: Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes. The strategic merit of the proposal is demonstrated to be consistent with relevant strategic planning documents, as discussed in below tables:

Greater Sydney Region Plan The Greater Sydney Region Plan, A Metropolis of Three Cities is the overarching strategic framework for Greater Sydney Area.	
The Planning Proposal is considered being consistent with following planning objectives.	
Strategic Objectives	Comments
A City supported by infrastructure	
Objective 1: Infrastructure supports the three cities Objective 4: Infrastructure is optimised	Miranda is identified as a Strategic Centre in both the Greater Sydney Region Plan and the South District Plan. Strategic Centres are expected to accommodate high levels of private sector investment and will become increasingly important parts of the region's structure. Growth in Strategic Centres with efficient transport connections creates a 30-minute city. The Miranda Railway Station services the T4 line (Bondi Junction to Waterfall/Cronulla). Opposite to the subject site, there is a bus stop servicing three routes, providing connectivity to Hurstville, Cronulla and Sylvania/Sylvania Waters. There are four other bus stops in a 300-metre proximity.
A City for people	
Objective 6: Services and infrastructure meet communities' changing needs Objective 7: Communities are healthy, resilient and socially connected	Planning must recognise the changing composition of population groups in local places and provide services and social infrastructure that meet the changes in people's wellbeing needs through different stages of life. The Planning Proposal is lodged with an accompanying Public Benefit Offer. The proposal offers the provision of a 1,500m ² The Salvation Army (TSA) community Centre. The Salvation Army (TSA) is a Christian organisation that provides a range of services to people in need. The services include job training, rehabilitation services and emergency assistance. The inclusion of a TSA community facility within the proposed concept redevelopment is considered an upgrade to the existing TSA services. It would continue to service for communities' changing needs and assist to build social connections.
Housing the City	
Objective 10: Greater Housing Supply Objective 11: Housing is more diverse and affordable	Planning for housing needs to consider the type of dwellings required to respond to expected changes in household and age structures. The Planning Proposal seeks to deliver 116 residential apartments (including at least 5 key worker housing) on top of the TSA community centre. The delivery would facilitate housing options with great accessibility to

	<p>transport infrastructure and other services. The inclusion of key worker housing would increase the proportion of affordable rental housing stock within Sutherland Shire.</p> <p>The 116 apartments (19 one-bedroom apartments, 71 two-bedroom apartment, and 26 three-bedroom apartments) responds to a trend of decreasing household size within Sutherland Shire, with the average number of persons per household falling from 2.65 (2023) to 2.6 (2036).</p>
A well-connected city	
Objective 14: A Metropolis of Three Cities - Integrated land use and transport creates walkable and 30-minute cities	The site is within 400-metre walking distance to transport options, including Miranda Train Station and a few bus stops that provide transport linkages. The site is in close proximity to Westfield Miranda and Seymour Shaw Park, therefore considered walkable and within 30 minutes to shops, restaurants, services and public open spaces.
A resilient city	
Objective 37: Exposure to natural and urban hazards is reduced	<p>Placing developments in hazardous areas or increasing the density of development in areas with limited evacuation options increases risk to people and property. State agencies and councils use a range of policies and mapping tools to identify natural and urban hazards to reduce risks. Strategic land use planning should take a consistent approach to reduce exposure to these hazards.</p> <p>Significant natural hazards include bushfires and flooding events, and urban hazards can include noise pollution, soil and water contamination. The subject site is not identified as bushfire prone, nor flood prone. There's also no acid sulfate soil or land contamination identified on the site.</p> <p>Being close to the Miranda Train Station, the site is mapped under Road and Rail Noise Buffer Map under the <i>Environmental Planning and Assessment Act 1979</i>. Any proposed development will be further assessed at later DA stage to minimise the noise impact from the Road and Railways.</p>

South District Plan

In March 2018, the Greater Sydney Commission finalised the South District Plan. The Plan sets a 20-year vision to guide growth in the context of economic, social and environmental factors. The Planning Priorities outlined in the Plan intertwine with the strategic directions and planning objectives from the Greater Sydney Region Plan.

Because the Planning Proposal is situated within a well-connected location in one of the strategic centres with the scopes of delivering housing options and community facilities, the Proposal is considered aligning with the following planning priorities.

Planning Priorities	Comments
Infrastructure and collaboration	
S1 Planning for a city supported by infrastructure	Current demographic trend suggests that population growth between 2016-2036 will be approximately 30,000 people within the Sutherland Shire. Council's priority is to align future

	<p>planning changes with the capacity of existing and planned infrastructure.</p> <p>The subject site is located within 400 metres of Miranda Train Station and several bus stops. The site is also in close proximity to schools and public open spaces. The Planning Proposal benefits from existing social and transport infrastructure.</p>
Liveability	
S3 Providing services and social infrastructure to meet people's changing needs	<p>The Planning Proposal would enable an increased capacity for TSA community facility and services within Sutherland Shire. The increased capacity would assist in expanding existing emergency assistance, rehabilitation services, disaster relief and job training.</p> <p>The expansion of community facility is considered as an additional social infrastructure to meet the changes in people's wellbeing.</p>
S4 Fostering health, creative, culturally rich and socially connected communities	<p>The District Plan highlights the importance of supporting social connections through building social infrastructure with universal design to improve individual and community health.</p> <p>The Planning Proposal would facilitate a socially connected community as the Proposal enables an expansion and upgrade to the existing TSA community facility and services.</p>
S5 Providing housing supply, choice and affordability, with access to jobs, services and public transport	<p>Miranda is one of the two prioritised strategic centres under the South District Plan. Additional housing delivery is envisaged in and around these centres. The Planning Proposal scopes for a mixed-use development with 116 residential apartments. The varying range of housing sizes and the inclusion of 5 key worker housing adds housing choice in close proximity to transport infrastructure.</p>
Sustainability	
S18 Adapting to the impacts of urban and natural hazards and climate change	<p>Placing developments in hazardous areas or increasing the density of development in areas with limited evacuation options increases risk to people and property. State agencies and councils use a range of policies and mapping tools to identify natural and urban hazards to reduce risks. Strategic land use planning should take a consistent approach to reduce exposure to these hazards.</p> <p>Significant natural hazards include bushfires and flooding events, and urban hazards can include noise pollution, soil and water contamination. The subject site is not identified as bushfire prone, nor flood prone. There's also no acid sulfate soil or land contamination identified on the site.</p> <p>Being close to the Miranda Railway Station, the site is mapped under Road and Rail Noise Buffer Map under the Environmental Planning and Assessment Act 1979. Any proposed development will be further assessed at later DA stage to minimise the noise impact from the Road and Railways.</p> <p>Being close to the Miranda Train Station, the site is mapped</p>

	under Road and Rail Noise Buffer Map under the <i>Environmental Planning and Assessment Act 1979</i> . Any proposed development will be further assessed at later DA stage to minimise the noise impact from the Road and Railways.
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Q4: Is the Planning Proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

<p>Local Strategic Planning Statement</p> <p>The Local Strategic Planning Statement (LSPS) was made effective in September 2020. The LSPS expresses the vision and planning principles to guide land use planning decisions for 20 years.</p> <p>The Planning Proposal is considered consistent with below Planning Priorities.</p>	
Planning Priorities	Comments
Planning Priority 1: Align Planning to Existing Infrastructure	The subject site is located within 400 metres of Miranda Train Station and a few bus stops. The site is also in close proximity to schools and public open spaces. As a result, the Planning Proposal benefits from existing social and transport infrastructure.
Planning Priority 9: Community Connections	<p>The Planning Proposal is lodged with an accompanying Public Benefit Offer, the offer includes the provision of a 1,500m² TSA community centre.</p> <p>TSA is a Christian organisation that provides a range of services to people in need. The services include job training, rehabilitation services and emergency assistance.</p> <p>The provision of TSA community facility and services would strength community connections with support for community needed and bringing people together.</p>
Planning Priority 10: Housing Choice	<p>The Planning Proposal scopes for a mixed-use development with 116 residential dwellings with a mix of 1 bedroom, 2 bedrooms and 3 bedrooms.</p> <p>The range of housing sizes and types would provide community with additional and diverse housing choice.</p>
Planning Priority 23: Manage Risks from Hazards	<p>Placing developments in hazardous areas or increasing the density of development in areas with limited evacuation options increases risk to people and property. State agencies and councils use a range of policies and mapping tools to identify natural and urban hazards to reduce risks. Strategic land use planning should take a consistent approach to reduce exposure to these hazards.</p> <p>Significant natural hazards include bushfires and flooding events, and urban hazards can include noise pollution, soil and water contamination. The subject site is not identified as bushfire prone, nor flood prone. There's also no acid sulfate soil or land contamination identified on the site.</p>

	<p>Being close to the Miranda Railway Station, the site is mapped under Road and Rail Noise Buffer Map under the Environmental Planning and Assessment Act 1979. Any proposed development will be further assessed at later DA stage to minimise the noise impact from the Road and Railways.</p> <p>Being close to the Miranda Train Station, the site is mapped under Road and Rail Noise Buffer Map under the <i>Environmental Planning and Assessment Act 1979</i>. Any proposed development will be further assessed at later DA stage to minimise the noise impact from the Road and Railways.</p>
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Q5: Is the Planning Proposal consistent with any other applicable State or regional studies or strategies?

There are no applicable State or regional studies relevant to this Planning Proposal.

Q6: Is the Planning Proposal consistent with applicable SEPPs?

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Housing) 2021	Yes	The planning proposal is consistent with the broader aims of the Housing SEPP 2021 for facilitating housing supply.
State Environmental Planning Policy (Industry and Employment) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy Amendment (Housing) 2023	No	<p>Current architectural reference scheme exhibits non-compliance in building separation.</p> <p>It is expected that any development application lodged as a result of the proposed uplift will be subject to the development standards of the SEPP (Housing) 2023</p>
State Environmental Planning Policy (Planning Systems) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Yes	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	Not relevant to the proposed LEP amendment.

State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Primary Production) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Resilience and Hazards) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Resources and Energy) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	Any development application lodged as a result of the proposed uplift will be subject to the development standards of the Sustainable Buildings SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	Not relevant to the proposed LEP amendment.

Q7: Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

The Planning Proposal is generally consistent with applicable Ministerial Directions, detailed assessment is tabulated as below:

Ministerial Direction	Consistency	Comment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The Planning Proposal is generally consistent with the Greater Sydney Region Plan.
1.2 Development of Aboriginal Land Council Land	N/A	The Planning Proposal does not seek to develop on Aboriginal Land Council land.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not trigger designated development and does not require external agency concurrence.
1.4 Site Specific Provisions	Yes	<p>The Planning Proposal will result in a site-specific LEP clause.</p> <p>The site-specific clause is to enable the application of specific development standards (height and floor space ratio) in association with a community facility. The provisions will also apply a design excellence clause to ensure that development demonstrates a high standard of design excellence.</p> <p>A site-specific DCP chapter</p>

		will be prepared to assist development application preparation and assessment.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not relevant to the proposed LEP amendment.
1.6 Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not relevant to the proposed LEP amendment.
1.10 Implementation of Western Sydney Aerotropolis Plan	N/A	Not relevant to the proposed LEP amendment.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not relevant to the proposed LEP amendment.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not relevant to the proposed LEP amendment.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not relevant to the proposed LEP amendment.
1.14 Implementation of Greater Macarthur 2040	N/A	Not relevant to the proposed LEP amendment.
1.15 Implementation of the Pymont Peninsula Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.16 North West Rail Link Corridor Strategy	N/A	Not relevant to the proposed LEP amendment.
1.17 Implementation of the Bays West Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	Not relevant to the proposed LEP amendment.
1.19 Implementation of the Westmead Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.20 Implementation of the Camellia-Rosehill Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.21 Implementation of Southwest Growth Area Structure Plan	N/A	Not relevant to the proposed LEP amendment.
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	Not relevant to the proposed LEP amendment.
Focus Area 2: Design and Place – Not implemented		
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	Subject site is not located within any environmental conservation zones.
3.2 Heritage Conservation	Yes	The Planning Proposal could affect two heritage listed trees on Kiara Road. Supporting Arboricultural Impact Assessment states the proposed retainment of the heritage trees. An initial

		assessment indicates one tree is in poor health. Further assessment can be undertaken as part of the Development Assessment process.
3.3 Sydney Drinking Water Catchment	N/A	Not relevant to the proposed LEP amendment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not relevant to the proposed LEP amendment.
3.5 Recreation Vehicle Areas	N/A	Not relevant to the proposed LEP amendment.
3.6 Strategic Conservation Planning	N/A	Not relevant to the proposed LEP amendment.
3.7 Public Bushland	N/A	Not relevant to the proposed LEP amendment.
3.8 Willandra Lakes Region	N/A	Not relevant to the proposed LEP amendment.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not relevant to the proposed LEP amendment.
3.10 Water Catchment Protection	N/A	Not relevant to the proposed LEP amendment.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	N/A	Not relevant to the proposed LEP amendment.
4.2 Coastal Management	N/A	Not relevant to the proposed LEP amendment.
4.3 Planning for Bushfire Protection	N/A	Not relevant to the proposed LEP amendment.
4.4 Remediation of Contaminated Land	N/A	Not relevant to the proposed LEP amendment.
4.5 Acid Sulfate Soils	N/A	Not relevant to the proposed LEP amendment.
4.6 Mine Subsidence and Unstable Land	N/A	Not relevant to the proposed LEP amendment.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The Planning Proposal is consistent with this direction as it would facilitate housing within walking catchments to public transport, shops and amenities.
5.2 Reserving Land for Public Purposes	N/A	Not relevant to the proposed LEP amendment.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	Not relevant to the proposed LEP amendment.
5.4 Shooting Ranges	N/A	Not relevant to the proposed LEP amendment.
Focus Area 6: Housing		
6.1 Residential Zones		The Planning Proposal is consistent with this direction as it would facilitate housing within walking catchments to

		public transport, shops and amenities.
6.2 Caravan Parks and Manufactured Home Estates	N/A	Not relevant to the proposed LEP amendment.
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	Yes	The Planning Proposal is consistent with direction as it enhances the employment generating land uses on the subject site. (minimum 0.67:1 be dedicated as non-residential use)
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to the proposed LEP amendment.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the proposed LEP amendment.
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	Not relevant to the proposed LEP amendment.
Focus Area 9: Primary Production		
9.1 Rural Zones	N/A	Not relevant to the proposed LEP amendment.
9.2 Rural Lands	N/A	Not relevant to the proposed LEP amendment.
9.3 Oyster Aquaculture	N/A	Not relevant to the proposed LEP amendment.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not relevant to the proposed LEP amendment.

3.2. Site-specific merit

3.2.1. Section C – Environmental, social and economic impact

Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The subject site is located on the urban fringe of Miranda Centre zone and this decreases its exposure to critical habitat or threatened species. Based on currently available mappings under the Sutherland Shire Local Environmental Plan 2015 (SSLEP2015), the subject site is not exposed to critical habitat or threatened species, populations or ecological communities, or their habitats.

However, it is noted the proposed development is adjacent to a heritage listed tree fronting subject site along Kiora Road. The heritage listed tree (local heritage item #3102) has significance for demonstrating the planting palette used for street plantings in the inter-war period, particularly in the early 1930s. The street plantings reflect the desire of the community of that period to improve the amenity and aesthetic appearance of the major streets in the district, an attitude deriving from the cumulative influence of the parks and city beautiful movements.

Council's Heritage Officer and Tree Management Officer have considered potential impacts to the root system (Tree#2, refer to [Arboricultural Impact Assessment](#)), as the Planning Proposal seeks to construct underground carpark and podium levels to the site boundary. No objection has been raised to the proposal by officers. Tree #2' is in poor condition and is likely to further deteriorate as the result of peripheral development impacts. The recommendation is to replace the tree with a *400L Lophostemon confertus*. This issue could be further addressed at Development Application stage.

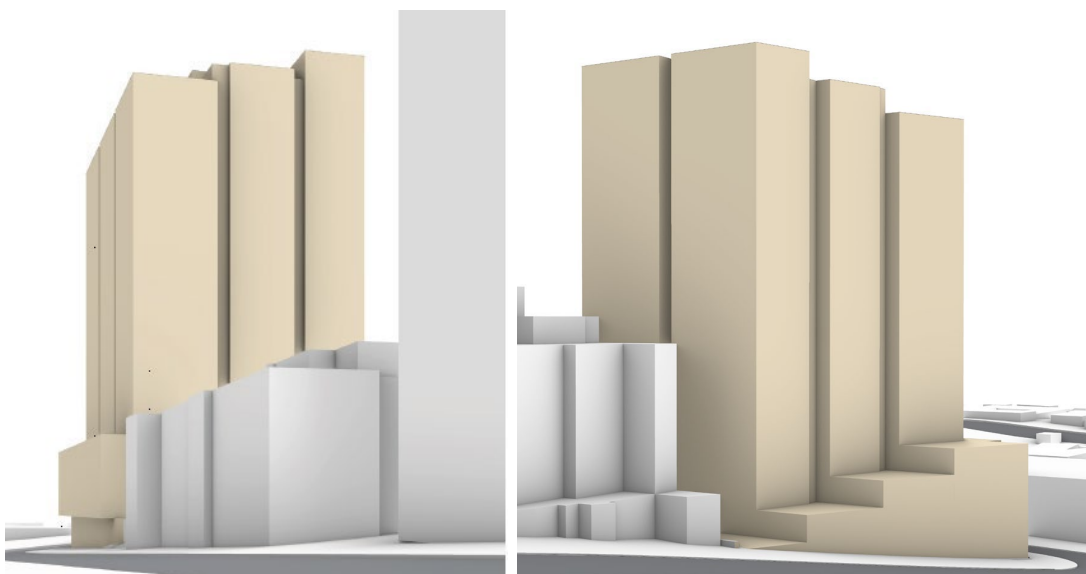
Q9: Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

The proposed amendments to the SSLEP2015 will have no substantial adverse impact on amenity to adjoining land uses. Future development compliant with the proposed amendment will ensure sure that:

- Any amenity impacts to the adjoining development and/or the public domain is minimised as part of the design process;
- Internal amenity within future development is to be achieved through compliance with the Apartment Design Guide.

1. Built form and building height

The [proposed architectural reference scheme](#) consists of 4 levels of podium, 12 levels of tower and a rooftop garden - to a maximum height of 60 metre (16-storeys). Along Kiora Road, the podium form is designed to step up as topography steps down. Along Willock Avenue, the podium is designed to align with existing built form along Willock Avenue (see below concept design extract). The proposed alignment ensures consistency of the podium form along Willock Avenue and reinforces a clear street wall.



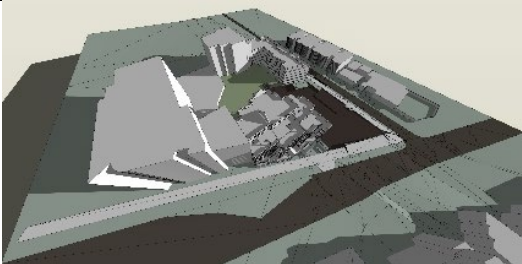
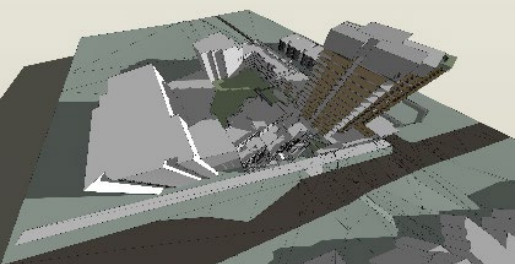
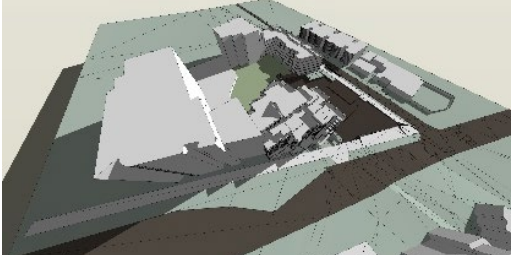
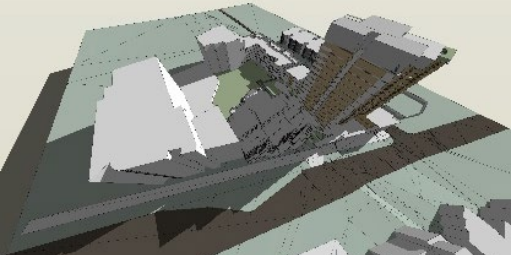
Extract: Concept Design – View from Willock Avenue (Left), View from Kiora Road (Right)

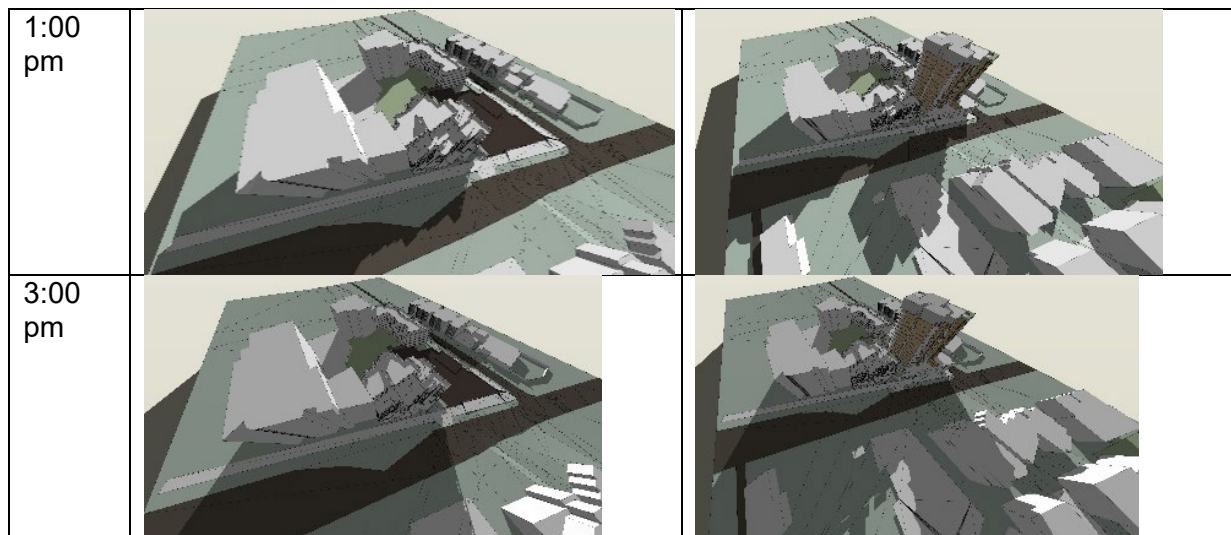
The proposed podium and tower result in a total building height of 60-metres. The tallest existing building at present in the Sutherland Shire is the Brick Pit South Village in Kirrawee (14-storey, 49.4-metre). Sutherland/Kirrawee is also an identified strategic centre under the Greater Sydney Region Plan.

The proposed building height (60m) is considered appropriate within strategic centre context for Miranda. Future development will comply with the Apartment Design Guide and ensure that the overshadowing is minimised through the orientation and building envelope design.

2. Overshadowing

Following table compares the shadow analysis between the impact from existing structures on-site and the proposed town massing impact. The shadow cast is measured between 9 am and 3 pm at mid-winter, based on the sketch-up model provide by the applicant.

	Existing development	Proposed development
9:00 am		
11:00 am		



Additional impact from height occurs between 9am and 1pm, with the most impact occurring for:

- The private communal open space within the adjacent complex (25-27 Kiora Road, Miranda NSW 2228) between 9am and 10:30am – additional impact on solar access is reasonable, as the adjacent private communal open space can receive a minimum of 50% direct sunlight to the principle communal open space for a minimum of 2 hours between 9am and 3pm on winter solstice.
- The adjacent southern building (25-27 Kiora Road, Miranda NSW 2228) between 10:30am and 1pm – detailed [overshadow analysis on the adjacent southern building](#) has been prepared by the applicant as part of the response to Council's RFI letter. The analysis states that the apartments on the eastern façade of the adjacent development already fail to meet the ADG minimum requirement of 2 hours of solar access. To achieve ADG compliance, any future development on subject site needs to ensure solar access to neighbouring properties is not further reduced by 20%. (ADG objective 3B-2)

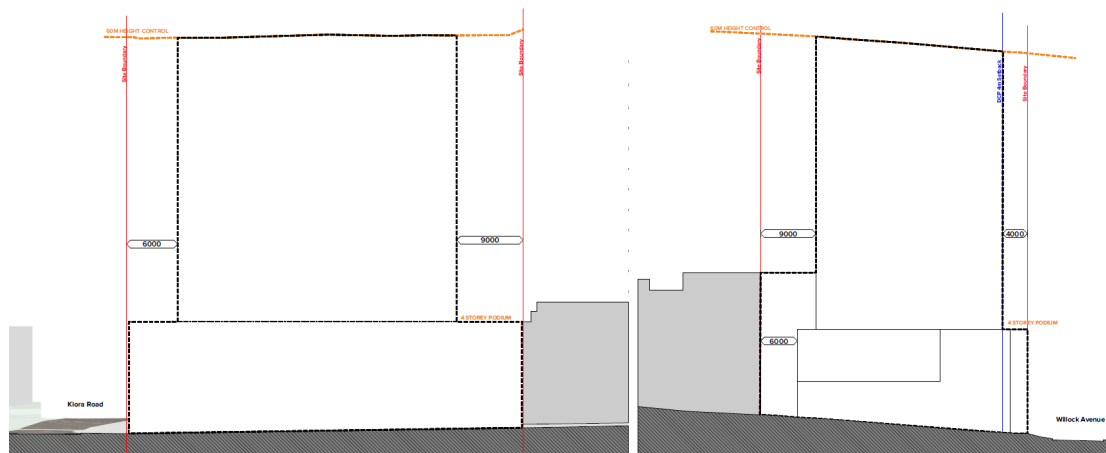
3. Building Separation

ADG 2F requires building separation distance to increase proportionally to the building height. The table below lists the building separation distance of the proposed concept development from two existing adjoining residential buildings. The proposed architectural reference scheme prepared by the applicant fails to achieve ADG requirement for building separation for 9 storeys and above.

Future development on the subject site needs to demonstrate compliance with ADG 2F Building separation.

Building Height	ADG 2F	Willock Ave Section	Kiora Rd Section
9 storeys and above	12m	9m	9m
Up to 8 storeys	9m	9m	9m
Up to 4 storeys	6m	0m	6m

Building Separation from Adjoining Buildings



Sections – View from Willock Avenue (Left), View from Kiora Road (Right)

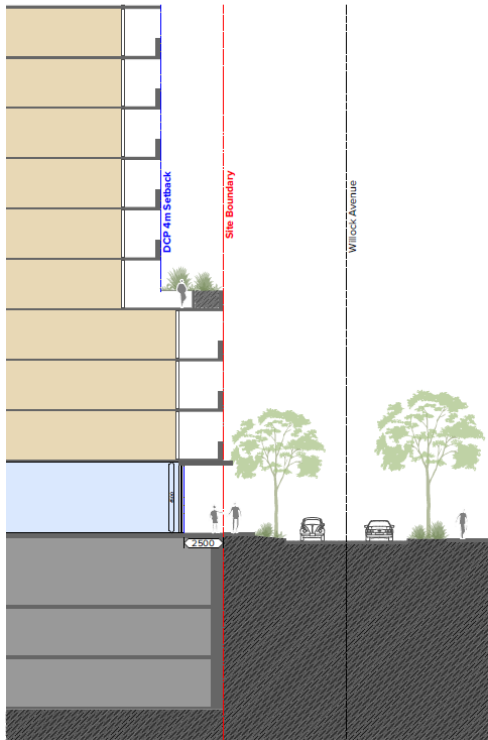
The amended indicative reference scheme exhibits non-compliance with ADG building separation requirements for storey nine and above. However it is noted the applicant has utilised a lower efficiency factor (approx. 62%) when calculating floor space from building envelope. Typical efficiency factor for apartments is approximately 80%. Hence reduction of the usable floor plate is unlikely to result in a reduced floor space ratio, in order to achieve building separation compliance (due to current low efficiency factor). It is considered that the FSR can be comfortably achieved with increased setbacks, and other design matters that do not impact on resultant floor space ratio could be addressed later at Development Application stage.

4. Public domain and street frontages

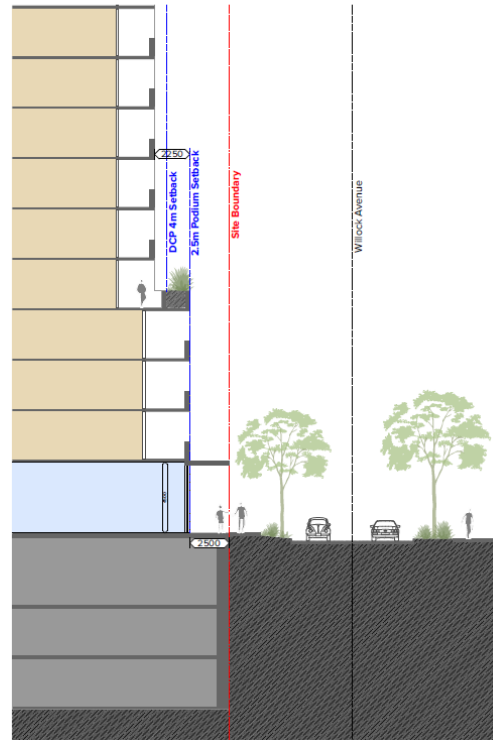
Council has reserved a 2.5-metre strip to enable footpath widening works along Willock Avenue on the subject site. The setback of 2.5-metre for a minimum of two storeys is required to allow solar access onto the public domain from the north.

The initial architectural reference scheme (prepared by the applicant) has incorporated a 2.5-metre setback along Willock Avenue for the ground level only, with a cantilever design for upper three podium levels. The applicant has proposed amendments to introduce 2.5m setbacks from site boundary fronting Willock Avenue for all podium levels. The proposed FSR can be comfortably achieved with increased setbacks. These design matters can be addressed later at Development Application stage.

Submitted Planning Proposal Willock Avenue setbacks



Proposed amendments to Willock Avenue setbacks



Proposed amendment to Willock Avenue setbacks

5. Traffic and parking

Council's Traffic Engineer considered the increased demand for pedestrians crossing Kiora Road, and for increased traffic generation at Kiora Road/Willock Avenue intersection. The [traffic study](#) prepared by the proponent confirms that signalisation is not required at Kiora Road/Willock Avenue intersection.

6. Desired Future Character

Based on strategic documents from the State government and Council, the desired future character of the area includes:

- A strategic centre – a key driver of South District's economy;
- A vibrant place to visit and live that offers housing choices and diversity, with improved connections within the centre;
- Greater pedestrian focus along Kingsway, Kiora Road and Central Road and encourage activation of secondary streets.
- Facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate;
- To increase active frontages in the area, reduce expanses of blank walls and improve the legibility of car park entrances and exits;
- [SSDCP2015](#) envisages Kiora Road to have continuous awning, nil setbacks to increase active frontages in the area through the occurrence of urban renewals. Whereas, Willock Avenue has been almost fully developed with

residential/mixed-use building, with lower volumes of pedestrians in the area. Opportunity for improved landscaping and public domain remains for both Kiora Road and Willock Avenue.

A site-specific DCP chapter will be prepared to assist future development application preparation and assessment for the subject site.

Q10: Has the planning proposal adequately addressed any social and economic effects?

Delivering housing supply is a priority issue for Sydney for all levels of government. The subject site is located on the edge of Miranda commercial centre zone and has placed it in proximity of a wide range of services and amenities. The provision of additional housing in this location has strategic merit due to its proximity to Miranda Railway station and Westfield Miranda.

In 2021, Miranda strategic centre counted 5,717 jobs, accounting for the largest concentration of employment throughout the Sutherland Shire. The most predominant industries that hired local workers in Miranda are retail trade (2,318 people), health care and social assistance (1,008 people), accommodation and food services (554 people) etc. It is expected that the proposed LEP amendment will contribute to the development of these economic influences, as 0.67:1 floor space will be dedicated to charitable organisation's use. In particular, the planning proposal will act as a contributor to increase foot traffic, usage of public transport and employment opportunities within Miranda centre.

The Planning Proposal was also submitted with a [Public Benefit Offer](#). The Voluntary Planning Agreement (VPA) is subject to the negotiation with the landowner/developer.

The current offer proposed by the proponent includes the following terms:

- Provision of Salvation Army community facility at ground floor, operate for 25 years
- 5% of additional residential floor space (approx. 353m²) be dedicated as affordable housing on-site, for 15 years
- Footpath widening along Willock Avenue and frontage works on dual frontages
- Waive of s7.11 local infrastructure contribution (approx. \$2.32 million)

The proposed TSA facility provides for a significant expansion in floor area from approximately 390m² to 1500m² (see [Social and Economic Impact Assessment](#)). This increase will enable dedicated space for counselling, social support and employment training for people in need.

The provision of 5% of additional residential floor space as key worker housing (or affordable housing) is also considered as contributing to social and economic benefit, as it would assist to address the shortage of affordable housing within Sutherland Shire.

However, the proposed waiver of s7.11 local infrastructure contribution adds challenges for Council to address the local infrastructure demand, generated by the residential units from the redevelopment of the subject site. Council is continuing to negotiate the planning agreement.

It is requested the draft Voluntary Planning Agreement be exhibited at the same time as the Planning Proposal for broader community feedback to explore any other social and economic effects resulted from the proposed Planning Proposal.

3.2.2. Section D – Infrastructure (Local, State and Commonwealth)

Q11: Is there adequate public infrastructure for the planning proposal?

The applicant has prepared a [Building Services Review](#) to assess building services infrastructure capacity. The review covered Electrical Supply, Communications, Stormwater Drainage, Sewer Drainage, Potable Cold Water and Fire Services Water and Natural Gas Services. The review states Electricity Supply and Sewer Drainage would require minor adjustment of existing services, other services can utilise existing infrastructure. The review is limited to desktop study. Further detailed analysis could be undertaken at Development Application stage.


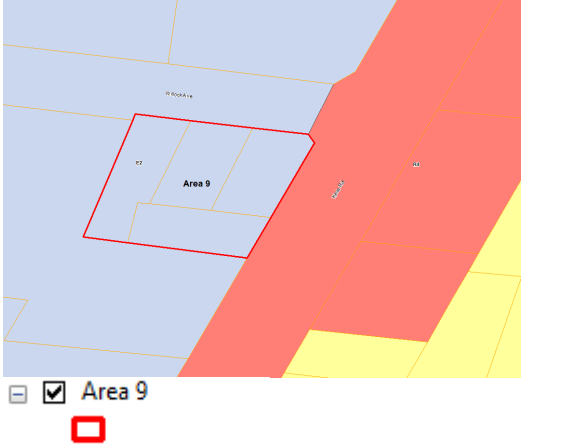
3.2.3. Section E – State and Commonwealth Interests

Q12: What are the views of the state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

No State and Commonwealth authorities have been consulted at this time. Where necessary, further consultation with relevant authorities will be undertaken as required in accordance with the Gateway Determination.

Part 4. Maps

The proposed LEP amendment will require an amendment to the following:

Land Zoning Map under current SSLEP2015	Proposed “Area 9” <i>Height of Buildings Map</i> <i>Floor Space Ratio map</i>
 <p>This map shows the current land zoning for the area. It includes labels for 'MIRANDA POLICE STATION', 'DOCK AVENUE', 'R4', 'SALVATORE ARMY CHURCH', and 'SP2 Educational Establishments & Place of Worship'. The map uses various colors to denote different zoning types, with a prominent red area along the right side.</p>	 <p>This map shows the proposed 'Area 9' highlighted in red. It includes a legend at the bottom left with a red square icon and the text 'Area 9'. The map also shows 'DOCK AVENUE' and 'R4'.</p>

Part B Design Excellence Clause

Part 5. Design Excellence Clause - Explanation of provisions

5.1. Amendments to the Sutherland Shire LEP 2015

Council is seeking to achieve design excellence through a Design Excellence clause as part of SSLEP2015. The clause will apply to all land located within the Sutherland Shire. The clause sets parameters regarding the types of development that may trigger the clause to be applied. This clause stipulates the requirement of a competitive design process.

The proposed Design Excellence clause is as follows:

6.X Design excellence

- (1) *The objective of this clause is to ensure development to which this clause applies exhibits the highest standard of architectural and urban design that contributes to the natural, cultural, visual and built character values of Sutherland Shire.*
- (2) *This clause applies to development involving the construction of a new building, or external alterations to an existing building, that will result in any development that—*
 - (a) *is equal to or greater than 30m or 9 storeys in height, or*
 - (b) *has a total lot size of 4,000 m² or more, or*
 - (c) *is on land shown edged heavy black on the Design Excellence Map, or*
 - (d) *includes an item listed in Schedule 5 Environmental Heritage and the estimated development cost is more than \$5 million*

Note—

In determining an application for a modification of a development consent granted under this clause, the consent authority must again take the requirements of this clause into consideration (see section 4.55 (3) of the Act).

- (3) *Development consent must not be granted for development to which this clause applies unless the consent authority is satisfied that the development exhibits design excellence.*
- (4) *In considering whether the development exhibits design excellence, the consent authority must be satisfied that the following criteria are met—*
 - (a) *an exceptional standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
 - (b) *the form arrangement and design of the building will improve water and energy efficiency above the baseline requirements*
 - (c) *the form, arrangement and external appearance of the development will significantly improve the quality and amenity of the public domain,*
 - (d) *the development will not detrimentally impact view corridors and landmarks,*
 - (e) *the requirements of any development control plan made by the Council and as in force at the commencement of this clause,*
 - (f) *the development excels in all the following matters—*
 - (i) *the suitability of the land for development,*

- (ii) *existing and proposed uses and use mix,*
- (iii) *heritage and archaeological issues and the constraints and opportunities of the streetscape,*
- (iv) *the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
- (v) *street frontage heights, bulk, massing and modulation of buildings,*
- (vi) *environmental impacts, including sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity,*
- (vii) *the implementation of ecologically sustainable development principles,*
- (viii) *prioritisation of active transport infrastructure including the permeability of pedestrian networks,*
- (ix) *the impact on, and any proposed improvements to, the public domain,*
- (x) *achieving appropriate interfaces at ground level between the building and the public domain,*
- (xi) *excellence and integration of landscape design.*
- (g) *the development addresses the protection and enhancement of green infrastructure*
- (h) *the development incorporates the transition to renewable energy*
- (5) *Development consent must not be granted to the following development to which this clause applies unless a competitive design process has been held—*
 - (a) *development relating to a building that is, or will be, higher than 45m above ground level (existing), or*
 - (b) *development on a lot with a total area of 10,000m² or greater, or*
 - (c) *development with an estimated development cost of more than \$100 million, or*
 - (c) *development on land at—*
 - (i) *[address] [DP and lot]*
 - (ii) *XXX*
 - (d) *development for which the applicant has chosen to participate in a competitive design process.*
- (6) *Subclause (5) does not apply if—*
 - (a) *the consent authority certifies in writing that a competitive design process is not required, and*
 - (b) *a design review panel reviews the development, and*
 - (c) *the consent authority takes into account the advice of the design review panel.*
- (7) *In deciding whether to grant development consent to development referred to in subclause (5), the consent authority must take into account the results of the competitive design process.*
- (8) *In this clause—*

competitive design process means a design competition held in accordance with the Design Competition Guidelines published by the Department in September 2023.

design review panel means a panel of at least 3 persons established by the consent authority.

green infrastructure means the network of green spaces, natural systems and semi-natural systems that support sustainable communities and includes waterways, bushland, tree canopy and green ground cover, parks and open spaces.

Part 6. Justification of strategic merit and site-specific merit

6.1. Strategic merit

6.1.1. Section A – Need for the Planning Proposal

Q1: Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Sutherland Shire Local Strategic Planning Statement (LSPS) highlights the following planning priorities:

- **Respect local character:** to manage change by considering the defining qualities and characteristics of local areas in their growth and development;
- **Attractive and distinctive centres and places:** to create attractive and distinctive centres and public places that are welcoming, safe, distinctive and enjoyable for our residents and visitors;
- **Efficiency and innovation:** to explore new approaches to improve energy, water and waste efficiencies to improve the resilience of Sutherland Shire;
- **Manage risks from hazards:** To understand, manage and mitigate risks and vulnerabilities when planning and building infrastructure and assets to reduces risks to life and property.

This Planning Proposal (Part B) arises from the need for Council to ensure that the SSLEP2015 contains provisions to uplift urban design quality and control of design outcomes. The LSPS emphasises the need to create attractive and distinctive centres and places. The defining qualities and characteristics of local places could be enhanced through improved urban design, which could be facilitated through the application of design excellence requirement.

Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. SSLEP2015 currently does not include statutory provisions to achieve urban design outcomes for buildings with significant uplift. The Planning Proposal is considered the best means of achieving the desired LSPS planning priorities.

6.1.2. Section B – Relationship to the strategic planning framework

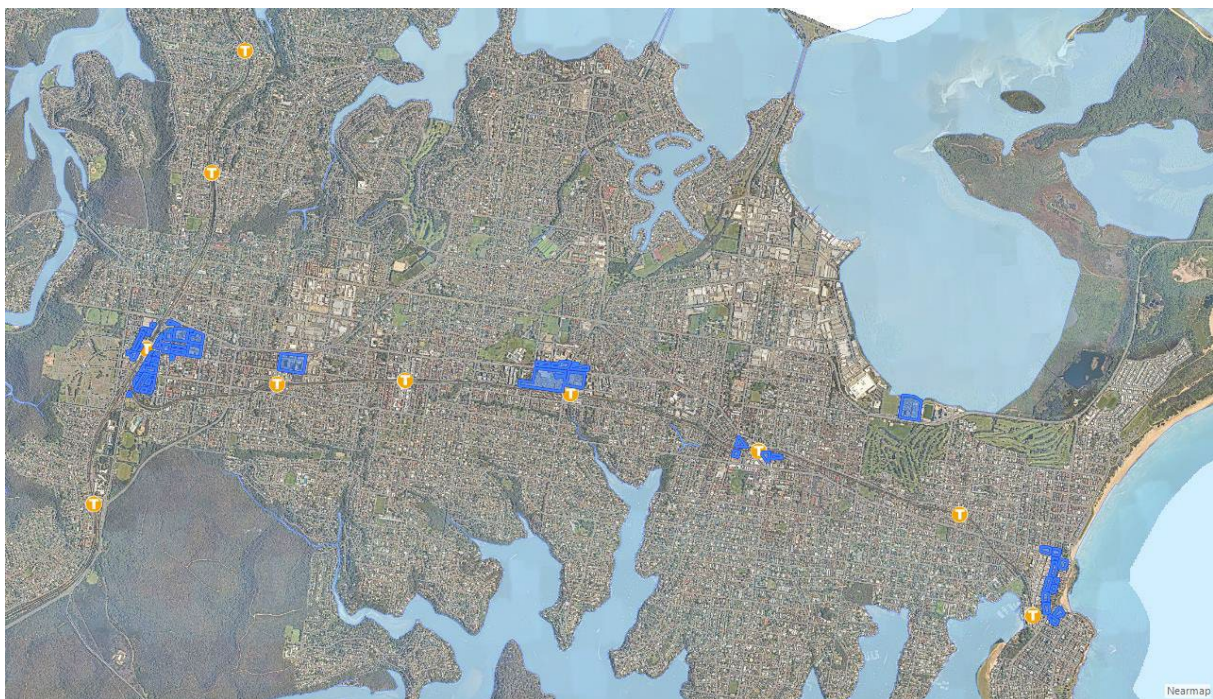
Q3: Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, the Planning Proposal (Part B) gives effect to the planning directions outlined under the Greater Sydney Region Plan.

The Greater Sydney Region Plan highlights the importance of urban design excellence as great places enhance wellbeing and a sense of community identity. The proposed design excellence will apply to development that is greater than 30-metre or 9-storey.

Within Sutherland Shire, land use permissibility for maximum height of building equal to, or greater than 30-metre is generally within the centre zone of Sutherland-Kirrawee, Miranda, Caringbah and Cronulla. Sutherland and Miranda are the two identified strategic centres under the Greater Sydney Region Plan and South District Plan.

The application of design excellence in these key strategic locations will assist to deliver developments that are well-situated with the surrounding environment and exhibits higher design standards. These assist to create great places for people. As such, it is considered that the Planning Proposal aligns with the planning directions outlined under the Greater Sydney Region Plan and South District Plan.



Permissible Height of Building that are equal or greater than 30-metre

Q4: Is the Planning Proposal consistent with a Council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

The Local Strategic Planning Statement (LSPS) was made effective in September 2020. The LSPS expresses the vision and planning principles to guide land use planning decisions for 20 years.

The Planning Proposal (Part B) is considered consistent with the LSPS. The LSPS emphasises the need to create attractive and distinctive centres and places. The defining qualities and characteristics of local places could be enhanced through improved urban design, which could be facilitated through the application of design excellence requirement.

Q5: Is the Planning Proposal consistent with any other applicable State or regional studies or strategies?

There are no applicable State or regional studies relevant to this Planning Proposal (Part B).

Q6: Is the Planning Proposal consistent with applicable SEPPs?

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Housing) 2021	Yes	The Planning proposal is not contrary to SEPP provisions.
State Environmental Planning Policy (Industry and Employment) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy Amendment (Housing) 2023	Yes	The Planning proposal (Part B) is consistent with SEPP Amendment (Housing) 2023 (former SEPP 65) as it seeks to enhance design quality.
State Environmental Planning Policy (Planning Systems) 2021	Yes	The Planning proposal is not contrary to SEPP provisions.
State Environmental Planning Policy (Precincts—Central River City) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Yes	The Planning proposal is not contrary to SEPP provisions.
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Primary Production) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Resilience and Hazards) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Resources and Energy) 2021	N/A	Not relevant to the proposed LEP amendment.
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	The Planning proposal (Part B) is consistent with SEPP (Sustainable Buildings) 2022 as it seeks to reinforce sustainability commitments for future development applications and planning proposals exceeding certain scale.
State Environmental Planning Policy (Transport and Infrastructure) 2021	N/A	Not relevant to the proposed LEP amendment.

Q7: Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

Ministerial Direction	Consistency	Comment
Focus Area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The Planning Proposal is generally consistent with the Greater Sydney Region Plan.
1.2 Development of Aboriginal Land Council Land	N/A	The Planning Proposal does not seek to develop on Aboriginal Land Council land.
1.3 Approval and Referral Requirements	N/A	The Planning Proposal does not trigger designated development and does not require external agency concurrence.
1.4 Site Specific Provisions	N/A	Not relevant to the proposed LEP amendment.
1.5 Parramatta Road Corridor Urban Transformation Strategy	N/A	Not relevant to the proposed LEP amendment.
1.6 Implementation of Northwest Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	Not relevant to the proposed LEP amendment.
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	Not relevant to the proposed LEP amendment.
1.10 Implementation of Western Sydney Aerotropolis Plan	N/A	Not relevant to the proposed LEP amendment.
1.11 Implementation of Bayside West Precincts 2036 Plan	N/A	Not relevant to the proposed LEP amendment.
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	Not relevant to the proposed LEP amendment.
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N/A	Not relevant to the proposed LEP amendment.
1.14 Implementation of Greater Macarthur 2040	N/A	Not relevant to the proposed LEP amendment.
1.15 Implementation of the Pyrmont Peninsula Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.16 North West Rail Link Corridor Strategy	N/A	Not relevant to the proposed LEP amendment.
1.17 Implementation of the Bays West Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.18 Implementation of the Macquarie Park Innovation Precinct	N/A	Not relevant to the proposed LEP amendment.
1.19 Implementation of the Westmead Place Strategy	N/A	Not relevant to the proposed LEP amendment.
1.20 Implementation of the Camellia-	N/A	Not relevant to the proposed

Rosehill Place Strategy		LEP amendment.
1.21 Implementation of Southwest Growth Area Structure Plan	N/A	Not relevant to the proposed LEP amendment.
1.22 Implementation of the Cherrybrook Station Place Strategy	N/A	Not relevant to the proposed LEP amendment.
Focus Area 2: Design and Place – Not implemented		
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	N/A	Subject site is not located within any environmental conservation zones.
3.2 Heritage Conservation	N/A	Not relevant to the proposed LEP amendment.
3.3 Sydney Drinking Water Catchment	N/A	Not relevant to the proposed LEP amendment.
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not relevant to the proposed LEP amendment.
3.5 Recreation Vehicle Areas	N/A	Not relevant to the proposed LEP amendment.
3.6 Strategic Conservation Planning	N/A	Not relevant to the proposed LEP amendment.
3.7 Public Bushland	N/A	Not relevant to the proposed LEP amendment.
3.8 Willandra Lakes Region	N/A	Not relevant to the proposed LEP amendment.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not relevant to the proposed LEP amendment.
3.10 Water Catchment Protection	N/A	Not relevant to the proposed LEP amendment.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	N/A	Not relevant to the proposed LEP amendment.
4.2 Coastal Management	N/A	Not relevant to the proposed LEP amendment.
4.3 Planning for Bushfire Protection	N/A	Not relevant to the proposed LEP amendment.
4.4 Remediation of Contaminated Land	N/A	Not relevant to the proposed LEP amendment.
4.5 Acid Sulfate Soils	N/A	Not relevant to the proposed LEP amendment.
4.6 Mine Subsidence and Unstable Land	N/A	Not relevant to the proposed LEP amendment.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The Planning Proposal is consistent as it will encourage higher urban design qualities for significant developments, which are likely be in proximity to existing transport infrastructures.
5.2 Reserving Land for Public Purposes	N/A	Not relevant to the proposed LEP amendment.
5.3 Development Near Regulated Airports	N/A	Not relevant to the proposed

and Defence Airfields		LEP amendment.
5.4 Shooting Ranges	N/A	Not relevant to the proposed LEP amendment.
Focus Area 6: Housing		
6.1 Residential Zones	Yes	The Planning Proposal seeks to achieve urban design qualities for significant housing developments.
6.2 Caravan Parks and Manufactured Home Estates	N/A	Not relevant to the proposed LEP amendment.
Focus Area 7: Industry and Employment		
7.1 Business and Industrial Zones	Yes	The Planning Proposal seeks to achieve urban design qualities for significant mixed-use developments, which are likely to occur in key strategic commercial centres.
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	Not relevant to the proposed LEP amendment.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not relevant to the proposed LEP amendment.
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	N/A	Not relevant to the proposed LEP amendment.
Focus Area 9: Primary Production		
9.1 Rural Zones	N/A	Not relevant to the proposed LEP amendment.
9.2 Rural Lands	N/A	Not relevant to the proposed LEP amendment.
9.3 Oyster Aquaculture	N/A	Not relevant to the proposed LEP amendment.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not relevant to the proposed LEP amendment.

6.2. Site-specific merit

6.2.1. Section C – Environmental, social and economic impact

Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

There is no identified likelihood that the planning proposal will result in any adverse impact on the environment including critical habitat or threatened communities.

Q9: Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

There is no identified likelihood that the planning proposal will result in any adverse environmental effects.

Q10: Has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal (Part B) is to facilitate higher quality of design for significant developments. Achieving high standard architectural and urban design outcomes will enhance overall appearance and amenity in gateway locations for Sutherland Shire. These characteristics enhances liveability for local residents and brings additional social and economic values.

6.2.2. Section D – Infrastructure (Local, State and Commonwealth)

Q11: Is there adequate public infrastructure for the planning proposal?

Yes. The planning proposal does not create new demand for public infrastructure.

6.2.3. Section E – State and Commonwealth Interests

Q12: What are the views of the state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

It is not anticipated that consultation with any public authorities will be required, however this process will be confirmed by advice received in the Gateway Determination.

Part 7. Maps

N/A

Part 8. Community consultation

In accordance with the community participation requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2021, the Planning Proposal will be exhibited for a period of 28 days unless a longer time period is specified by the Gateway Determination.

The Sutherland Shire Community Engagement Strategy 2023 specifies that planning proposals of this nature that are required to undertake engagement use the following methods at a minimum:

Advertisement via newspaper: *An advertisement will be placed in Council page in the St Georges and Sutherland Shire Leader identifying the purpose of the Planning Proposal and where the Planning Proposal can be viewed.*

Advertisement on Council website: *The Planning Proposal will be exhibited on the Council [Join the Conversation](#) website with links from Council's home page.*

Letters: *A letter will be distributed to an entire block or precinct as appropriate for Planning Proposals.*

Part 9. Project timeline

Project Milestones	Dates
Planning Proposal accepted for lodgement on Planning Portal	23/01/2024
Consideration by Local Planning Panel	02/04/2024
Consideration by Design Review Panel	02/05/2024
Consideration by the Sutherland Shire Planning and Growth Committee	01/07/2024
Consideration by Council	15/07/2024
Gateway Determination	17/09/2024
Exhibition start	06/11/2024
Exhibition end	04/12/2024
Review and consideration of submissions	February 2025
Report to Committee on the submissions received	March 2025
Council Meeting	March 2025
Request for the proposed LEP amendment to be prepared	June 2025

Appendix

Appendix A Local Planning Panel Meeting Minutes

Appendix B Design Review Panel Meeting Minutes

Appendix C Report to Council